

Kitaabul Fiqh

Diin Kii Baate'

A concise manual on the fiqh of
Imaam Abuu Haniifah,
Nu'maan bin Thaabit, Rahimahullaah

Maulana Ashraf 'Alii Thaanwii rahimahullaah

idara



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Being a translation of
Maulana Ashraf 'Alii Thaanwii, rahimahullaah's
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Translated by:
Maulana Yusuf 'Abdullaah Karaan



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(Diin Kii Baate)

Maulana Ashraf 'Alii Thaanwii, rahimahullaah

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بسم الله الرحمن الرحيم
نحمده ونصلي على رسوله الكريم

KITAABUT TAHAARAH

Wuduu

When doing wuduu (ablution) one should sit on a slightly elevated surface facing the qiblah and recite "Bismillaah" when commencing. Wash both hands up to and including the wrists three times. Thereafter rinse the mouth and gargle thrice, also doing miswaak. If however there is no miswaak stick, one should clean the teeth with one's fingers. If one is fasting, one should not gargle. Then rinse the nostrils thrice by drawing water into them and blowing out with the aid of the left hand. Those who are fasting should not draw water above the soft part inside the nose.

Thereafter wash the face three times. The area to be washed stretches from where the hair of the forehead begins to under the chin, and from one ear to the other. The water should wet this whole surface. This is followed by washing the right arm three times up to and including the elbow, which is followed by doing the same with the left arm thrice. In washing the arms it is also necessary to make khilaal by passing the fingers of one hand between the fingers of the other. If one is wearing a ring on any of the fingers, it should be moved and turned so that water wets the portion under the ring. Thereafter make mas-h by wiping the whole head with wet hands and also both ears once. Wipe the ears by passing the index fingers on the insides of the ears and the thumbs over the back of the ears. One should not rub the throat. It is not necessary to use fresh water for the mas-h of the ears. It may be done with water which remained on the hand after having wiped the head. Then wash the right foot up to and including the ankles three times, and lastly the left foot three times. Make khilaal with the little finger of the left hand by inserting it between the toes of the right foot first and then the left.

This is the sunnah manner of doing wuduu. However, among these things some are fard (compulsory), some sunnah and some mustahab (preferable).

1. In wuduu only four things are fard: Washing the complete face once, washing both arms including the elbows once, wiping wet hands over one quarter of the head once, and washing both feet, including the ankles, once. Only these are fard. If any of these four are not done, or if only one of them, or if any one part as much as a hair remains dry, wuduu will not be correct.

2. Sunan (pl. of sunnah) of wuduu are: First wash both hands up to the wrists; saying "Bismillaah" at the beginning; rinse the mouth; draw water into (rinse) the nostrils; do miswaak; make mas-h of the whole head; wash each part thrice; make mas-h of the ears; make khilaal by inserting the fingers of one hand between the fingers of the other and between the toes. All these are sunnah. Apart from these, the rest of what is done in wuduu is mustahab.

3. When these four faraa-id (pl. of fard) are done, wuduu is considered to have been adequately done, whether there was niyyah (intention) for wuduu or not. A person taking a bath and throwing water all over the body could do so without doing wuduu; or someone falling into a pool of water; or a person standing outside in the rain; or where water is sprinkled so that those four parts that are fard become wet. In such cases wuduu is considered to have been acquired, but because of the absence of any intention, one will not acquire the reward of wuduu.

4. The sunnah manner of wuduu has been explained above in its proper sequence. Should anyone not do it in the proper sequence, e.g., first the feet, then mas-h, then the two hands and face, or in any other sequence, wuduu will still be correct, but not in accordance with the sunnah. If done intentionally a sin may have been committed.

5. Similarly, if a person washes the left arm or foot before the right one, wuduu will be correct but it will not be in accordance with the mustahab manner.

6. Having washed one part, one should not delay washing the next one to the extent that the first one becomes dry. Wash the next part before the first one dries.

7. It is sunnah while doing wuduu to pass the palm of the hand on all those parts that are to be washed so that no part remains dry.

8. After washing the face, make khilaal (inserting the fingers through) of the beard two or three times.

9. It is fard to wash that part of the face between the cheeks and ears.

10. Washing the chin is fard (compulsory) if no beard is growing on it, or when the hair is so sparse that the skin is visible.

11. It is fard to wash the part of the lips which are visible when the mouth is closed.

12. If the beard, moustache or eyelashes are so dense that the skin (under it) is not visible, it is not fard to wash the skin that is not visible. It is sufficient to wet the hair.

13. If the eyelashes, beard or moustache are so thick that the skin underneath is not visible, only so much of the hair is waajib (obligatory) to be washed as falls inside the boundary of the face. Those protruding beyond is not waajib to be washed.

14. It is mustahab (preferable) to do wuduu before the beginning of salaah.

15. As long as one is not helpless, wuduu should be done by oneself without letting someone else pour the water. During wuduu worldly conversation should be avoided. No matter how abundant the water is, even if one is at the sea shore, more water than is absolutely necessary should not be used, nor should so little water be used that difficulty is experienced in washing properly. Endeavour to wash all limbs thrice. When washing the face, do not splash water on to the face, nor blow out the water so forcefully that it spreads all over, nor shut the mouth and eyes stiffly. All such acts are makruuh and forbidden.

16. If the rings, bangles, bracelets or noserings, of a woman are loose-fitting, that without twisting them water will reach underneath, it is still mustahab (preferable) to twist and move them. And if these are so tight-fitting that there is doubt of water not reaching underneath without moving them, then to move or twist them so that water reaches underneath becomes necessary and is waajib (obligatory).

17. If some dough (or paint, nail-polish etc.) is left on a nail and

becomes dry, and water failed to reach underneath, wuduu will be incorrect. When one remembers (after doing wuduu) and becomes aware thereof, the dough should be removed and water passed over that portion. If a salaah has already been done, it will have to be repeated.

18. After completing wuduu, recite Suurah Qadr (Innaa anzalnaahu fii laylatil qadr) and this du'aa:

اَللّٰهُمَّ اجْعَلْنِي مِنَ التَّوَّابِينَ وَاجْعَلْنِي مِنَ الْمُتَطَهِّرِينَ ، وَاجْعَلْنِي مِنْ
عِبَادِكَ الصَّالِحِينَ ، وَاجْعَلْنِي مِنَ الَّذِينَ لَا خَوْفٌ عَلَيْهِمْ وَلَا هُمْ يَحْزَنُونَ

Al-laa-hum-maj 'al-nii mi-nat taw-waa-bee-na waj-'al-nii mi-nal mu-ta-tah-hi-rii-na waj 'al-nii min 'i-baa-di-kas saa-li-hii-na waj-'al-nii mi-nalla-dhii-na laa khau-fun 'a-lay-him wa-laa hum yah-za-nuun.

O Allaah make me one of those who repent to You, and make me one of those who are clean and pure, and make me one of Your righteous bondsmen, and one of those who shall, on the Day of Judgment, have no fear, nor shall they grieve.

19. After having done wuduu one should do two rak'ahs tahiyyatul wuduu salaah. Great reward has been promised for it in the hadiith.

20. If wuduu was done for a salaah, and then the time for the next salaah came, and one's wuduu had not become nullified, one may do the second salaah with the same wuduu. However, if a new wuduu is done, a very great reward will be attained.

21. If wuduu has been done but has not yet been broken, then until an 'ibaadah (worship) has not been done with this wuduu, it is makruuh and prohibited to do another wuduu.

22. If the skin of one's arm or foot is cracked, or is covered with wax, oil, or medicine, which if removed will cause harm, then without removing it, if water is just passed on the surface, wuduu will be correct.

23. If during wuduu, water did not wet the heel or some other part, and when one becomes aware thereof after wuduu, then it is not sufficient that a wet hand be passed over the spot. In this case it is necessary to pour water over it.

24. If there is a boil or any similar type of sore or wound on the hand or foot, which would be harmed if water should touch it, then water should not be poured over the affected portion. One need only to pass a wet hand over the wound. This is called mas-h. If, however, this too would be harmful then this action should be omitted.

25. Where a wound is bandaged, and the wound would be harmed if opened and mas-h done over it, or if there would be great difficulty in opening the bandage and rebinding it, then it is sufficient if mas-h is done over the bandage.

26. Where a splint and bandage or plaster of paris is placed over a fractured bone, mas-h should be made over the bandage or plaster of paris. The same rule applies to a bandage applied after blood-letting (phlebotomy).

27. It is best that mas-h should be made over the whole bandage or plaster. If this is not done, then as long as more than half of the bandage or plaster is covered, it will be permissible. However, if half or less than half is covered, it will not be correct.

28. Should the bandage/plaster open and fall off, while the wound is still not healed, then one should re-tie the bandage. The previous mas-h will still be valid. There will be no need for a new mas-h. If the wound has healed so that there is no need for the bandage, the mas-h is broken. Now wash the portion previously covered by the bandage before doing salaah. There is no need to repeat the wuduu.

29. Doing wuduu on the carpets or mats of the masjid is not permissible.

That which nullifies wuduu

1. The wuduu (ablution) breaks when excreta, urine or wind is let out of the private parts. When anything like a worm or tapeworm or a pebble etc., comes out from the front or the anus, then too wuduu is broken.

2. If someone has a wound and a worm comes out from it, or if from the ear or from a wound a piece of flesh breaks off or falls out without any blood oozing forth, then wuduu is not broken.

3. If a person had blood drawn (treatment of phlebotomy - cupping); or had a nosebleed; or had been wounded; or blood comes out from anywhere in the body, or pus comes out, wuduu is broken. However, if the blood or pus remains on the mouth of the wound, and does not flow beyond the mouth of the wound, wuduu remains valid. If one has a pinprick and blood comes out but does not flow, wuduu will be valid, but if blood had flowed even a little, wuduu will be nullified.

4. If one puts a finger into the nose, and after taking it out blood is found on the finger, but only a little gets on to the finger, but does not flow, wuduu does not become nullified.

5. If a stye etc., in the eye breaks and its fluid flows into the eye and spreads, but does not come out, the wuduu will not break. If the fluid flows out of the eye, wuduu becomes invalid. In the same manner if a boil bursts in the ear and the pus etc., remains in the ear up to that point where it is not fard to wet with water when making ghusl (sunnah bath), wuduu remains valid. If blood flows up to the point where it is fard to wet during ghusl, wuduu will be nullified.

6. If a person scratches a boil or a pimple so that the skin opens and blood and pus become visible, but without flowing out of and beyond the boil, wuduu remains valid. But if it flows out of the wound wuduu breaks.

7. If a deep cut forms in a boil, then as long as the blood and the pus remain inside the wound and do not flow out onto the body, wuduu will not be nullified.

8. When blood does not itself flow from a boil or pimple, but is pressed out, wuduu breaks when it flows out of the wound.

9. If a little blood begins to come out of a wound, and, it is wiped away with a piece of cloth etc., and a little blood came out again, and is again wiped away, one must consider whether the blood would have flowed, and wuduu would become nullified. If it is obvious that had it not been wiped, blood would not have flowed, wuduu will not be nullified.

10. If blood is noticed in someone's saliva, and if the saliva is more whitish or yellowish, wuduu is not broken. If there is more blood and the saliva is more reddish, wuduu is broken.

11. If after biting something with the teeth, signs of blood appear on the bitten article, or if a person uses a toothpick (or floss) and finds blood thereon, but finds no trace of blood in the saliva, wuduu is not broken.

12. Should a mosquito or bug drink one's blood, wuduu is not broken.

13. If one has an earache as a result of which fluid flows from the ear, this fluid is najis (naapaak - impure - unclean). By its flowing out wuduu is broken, if it flows from the inner ear into that part of the ear which is fard to wash during ghusl. Similarly if the eyes are sore and painful, then the flowing of fluid and tears from the eyes breaks wuduu. But if the eyes are not sore, nor is there any pain, then the flowing of tears does not break the wuduu.

14. If fluid flows from the breasts of a woman when her breasts are sore, then this fluid is najis and wuduu breaks.

15. If one vomits and if the vomit consists of food, water and bile and it amounts to a mouthful, wuduu breaks. If the vomit is not a mouthful, the wuduu does not break. A mouthful means that the vomit remains with difficulty in the mouth. Vomit consisting only of balgham (phlegm - flam) does not break wuduu whatever the amount may be. If there is blood in the vomit and it is thin and flowing, then wuduu breaks. If the blood consists of congested blood clots and amounts to a mouthful, wuduu also breaks. A lesser amount does not break it.

16. If one vomits a little several times, but if the total put together is so much that if vomited one time it will be a mouthful wuduu breaks. If thereafter one vomits once more, wuduu is broken, otherwise not.

17. If while lying down, one fell asleep; or while sitting and leaning on something one slept in such a manner that had the thing (e.g., a pillar, wall etc.,) not been there, one would have fallen over, then wuduu is nullified. If one falls asleep while sitting or standing in salaah, wuduu

does not break, but if sleep overcomes one in sajdah (prostration), wuduu breaks.

18. If outside the salaah, a person falls asleep while sitting with his buttocks against the ground and is not leaning against a pillar etc., wuduu does not break.

19. While sitting, one may feel so sleepy that one falls over. If, on falling, the eyes open immediately, wuduu is not broken. If the eyes do not open immediately but only after even a slight delay, wuduu is broken. If one does not fall but sways from side to side, wuduu remains unbroken.

20. If one becomes unconscious or becomes insane or loses one's senses, wuduu breaks even if this situation lasts for a short period. Similarly if one had used tobacco, dagga, drugs or any intoxicants as a result of which one is not able to walk properly, wuduu breaks.

21. If during salaah one laughs so loudly that the person laughing and those around him also hear the sound, wuduu is broken, and the salaah is also nullified. If however the laughing is such that only the person laughing hears and not those in the immediate vicinity, except those next to him, the salaah will be nullified but wuduu will not break. When the laughter is such that even though the teeth are visible, and no voice is heard, neither wuduu nor the salaah breaks.

22. When touching by hand, or just through the imagination, fluid escapes from the private parts, wuduu breaks. This fluid is called madhii (pre-seminal fluid).

23. The watery substance coming out of a person's private parts as a result of some ailment, is najis. It therefore breaks wuduu.

24. When madhii or urine comes out of the opening of the penis but has not yet gone beyond the skin covering the outside, then too wuduu is broken.

25. When the front private part of a male touches the private part of a female without any clothing between, wuduu breaks. Similarly it breaks when two females cause their private parts to touch.

26. If a person's kaanch (intestinum rectum) prolapses, wuduu breaks.

27. When manii (sperm) comes out without any desire, wuduu breaks, for example, when falling from a high place.

28. If after wuduu the nails are pared, or any dead skin (scab) is removed from the top of a wound, it does not harm the validity of the wuduu.

29. If after wuduu one looked at the private parts of another, or one's own private parts became exposed, or one bathed or did wuduu while naked, wuduu does not break.

30. Those things coming out of the things which break wuduu, are regarded as najis. Those things that do not break wuduu are not najis, e.g., the small amount of blood from a wound which does not flow beyond the wound, or a little vomit which is not a mouthful. This blood (which had not flowed) and little vomit are not najis. If any of these touch the clothes or body it is not waajib (compulsory) to remove or wash away. When vomit is more than a mouthful, or blood has flowed beyond the wound, it is najis and becomes waajib to wash. If after having vomited more than a mouthful one puts the mouth to a cup or jug to take water for rinsing or cleansing the mouth, that cup or jug also becomes najis. One should put water in the mouth using one's palms.

31. The milk which a child brings up is considered vomit. The same rule applies as in the previous mas-alah (question, issue). If it is less than a mouthful it is not najis. If more than a mouthful it is najis. The salaah of a woman (or any other person) who does salaah without washing out the najis, will not be valid.

32. If a person remembers having done wuduu but is unsure whether it has broken or not, it is considered that wuduu is still valid and to do salaah will be correct. However, it is better to do wuduu again.

33. If while doing wuduu one is in doubt as to whether a certain part of the body has been washed or not, then that part should be washed again. If the doubt arises after the wuduu, one should not take any notice thereof as wuduu will be correct. If afterwards one is certain that a part had not been washed, it will be necessary to wash it.

34. If a person laughs loudly in janaazah salaah, or while doing the

sajdah tilaawah, wuduu does not break, whether one is baaligh (age of puberty, pubescent) or not.

35. It is not correct to touch the Qur-aan without wuduu. Yes, if it is touched with a cloth that is not part of the clothing that one is wearing, it is permissible. If one uses the sleeve etc., of the clothing that one is wearing it will not be permissible. However if the Qur-aan is lying open and without wuduu one recites from it without touching it, it is permissible. Similarly it is not permissible to touch any such ta'wiidh or saucer or ornament on which a verse of the Qur-aan is written or engraved.

The ma'dhuur (excused)

When one suffers from a continuous nosebleed which cannot be stopped by any means, or has a wound which continues to bleed without stopping, or suffers from continuous dripping of urine (which cannot voluntarily be controlled or stopped), and there is not enough time for salaah to be done with wuduu, such a person is considered a ma'dhuur. For such a ma'dhuur the sharii'ah has decreed that wuduu should be done for every salaah. The wuduu remains intact (irrespective of whether the blood or urine continues to flow) for as long as the time for a salaah has not lapsed. For example: Someone suffers from an attack of nose-bleeding and all efforts to stop it are of no avail. One now does wuduu at the time of zuhr, then as long as the time of zuhr remains, wuduu is considered to be intact. When the next salaah time commences, one will have to do wuduu once more. In this way one must do wuduu for every salaah time, and with this wuduu one then does the fard, nafl and any other salaah that one desires.

1. A ma'dhuur who had done wuduu at fajr time, cannot do any salaah after the rising of the sun with the same wuduu. Fresh wuduu will then be needed. If wuduu was done after sunrise, zuhr salaah may be done with it. There will be no need for fresh wuduu when zuhr time commences. When the time for 'asr commences, fresh wuduu will have to be done.

2. If a person suffering from a continuously bleeding wound has

done wuduu and then suffers from another bleeding wound, the wuduu is broken and another wuduu will have to be done.

3. A person is considered a ma'dhuur and its rules apply if the bleeding continues for the full duration of a salaah time, wherein there is not a moment when salaah can be done with tahaarah (cleanliness, purity). If enough time is found wherein salaah can be done with tahaarah, then such a person is not considered a ma'dhuur. For a ma'dhuur the same rule applies, that a fresh wuduu be made for every fard salaah period. When the next salaah period commences it will now not be a shart (compulsory prerequisite) that the bleeding remains for the whole salaah period. Even if blood flows once and remains dry for the remainder of the salaah period, one is still considered a ma'dhuur. However, if any salaah period goes by without any flow of blood, one is not a ma'dhuur any more. Now every time blood flows, wuduu breaks.

4. If the time of zuhr began, and blood began to flow from a wound, etc., then one should wait till the end of that salaah period. If the blood stops, it is okay, otherwise do wuduu and do (zuhr) salaah. Thereafter, for the whole 'asr salaah period the blood continued to flow, and no respite was available to do the salaah, after the passing of the period of 'asr one will be considered a ma'dhuur. If the bleeding had stopped during the 'asr salaah period one will not be regarded as ma'dhuur. The salaah that was done during this period is not valid and will now have to be repeated.

5. A ma'dhuur performed wuduu because of urine or defecation. While wuduu was being done, bleeding stopped, and after having done wuduu, it started again. Due to this flowing of blood, wuduu breaks. But that wuduu which was done due to nose-bleeding etc., does not break because of the nosebleed.

6. If this blood etc., touches one's clothes, then one should observe if it taints the clothing before completing the salaah. If so, then it is not waajib to wash it. If it is known that it will not fill up so quickly and the salaah will be done with tahaarah, then it is waajib to wash off the bloodstain. If it exceeds the size of a (old) rupee (coin) (i.e., approximately an old South African twenty cent silver coin, or a new

fifty cent bronze coin), then salaah will not be correct without it being washed off. (approx 20/25mm wide in diameter.)

Ghusl

1. The one doing ghusl (sunnah bath) should first wash both hands up to the wrists and then wash the private parts (i.e. places of istinjaa). Then, all places where najaasah (impurities) reached should be washed and thereafter wuduu done. If ghusl is done where one stands on a slightly raised platform, e.g., a stone, then complete wuduu should be done. However, if one stands on an unraised spot where water dams (collects) around the feet and the feet will have to be washed again after ghusl, then during wuduu the washing of the feet should be delayed. After the wuduu, pour water thrice over the head in such a manner that it flows over the whole body. Then move away to a clean place and wash the feet. If during wuduu the feet were washed, there is no need to do it again.

2. Firstly, rub the whole body (with wet hands) so that water will reach every portion of the body and no part of the skin or hair remains dry.

3. When doing ghusl the qiblah should not be faced, nor should more water be used than necessary. Neither should too little water be used where it may lead to ghusl being improperly done. Ghusl should be done in such a place where no one will be able to see it being done, nor should any talking take place. Having completed the ghusl it is necessary to cover the body quickly.

4. The manner of doing ghusl as explained above is in accordance with the sunnah. In it some things are fard and some are sunnah. Only three things are fard, viz.

a. To rinse the mouth so that water touches all the inside of the mouth,
b. to rinse the whole inside of the nostrils up to the soft part,
c. to shower water over the outer surface of the whole body.

5. If ghusl is done in a private place where one cannot be seen, it is permissible to bath naked, whether it is done while standing or sitting,

and whether there is a roof over the bathroom or not. It is better to bath in a sitting position. It is not permissible to expose the part of the body from the navel to the knees. It is a very wrong and shameless thing for women to bath naked in front of other women.

6. When water reaches (wets) the whole body, and one gargles and puts water into the nostrils, ghusl is considered to have been done, whether niyyah was made for ghusl or not. Even if one stands in the rain to cool oneself, or one has fallen into a pond so the whole body became wet, and one also drew water into the nose and mouth, ghusl has been done. While doing ghusl it is best not to recite the kalimah or any du'aa.

7. Even if a portion equivalent to a hair remains dry, ghusl is incomplete. If one forgets to rinse the mouth or nostrils, ghusl is incorrect.

8. Should one after ghusl find that any part of the body remained dry, it is not waajib to repeat the ghusl. Only that part must be washed which remained dry. If one forgot to gargle, it should be done. If water was not put into the nostrils it must also be done. Basically anything left unwashed may be washed afterwards. It is not necessary to do ghusl all over again.

9. If it is detrimental for a woman to wet her head due to an illness, she should do ghusl on the rest of the body. The ghusl will be valid. But later, when she is well, she must wash her head. She need not repeat the whole ghusl.

10. It is fard in the ghusl to make water reach that portion of the private part which lies just inside the foreskin. If water does not reach this part, ghusl is incorrect.

11. If the woman's hair is not plaited, then all the hair together with the roots (i.e., where it touches the head) must be wetted. And if one hair is left dry, ghusl is incorrect. If the hair is plaited, she is exempted from wetting all the hair, but it is necessary to make water reach all the roots of the hair. Not one root may remain dry. If it is not possible to make water reach all the roots without loosening the plaits, the hair should be loosened and all the hair should also be wetted.

12. During ghusl a woman should move and turn her earrings and

noserings to enable water to reach into those body holes, otherwise ghusl will remain incomplete.

13. If some dough etc., dried on the nails and water cannot reach underneath, ghusl will be incorrect. When one becomes aware of the dough, it should be scraped off and water poured over the spot. Had one done any salaah before one became aware thereof, such salaah must be repeated.

14. If one's hands and feet become cracked, and some wax, oil or some other medicine is applied, it will be correct to pass water over the affected area.

15. One should check that water reaches the inside of the ears and the inside of the navel. If water does not reach these places, ghusl will not be proper.

16. If during ghusl one did not rinse the mouth but drank a full mouthful of water so that water reached every part of the mouth, ghusl will be valid. If water was drunk in such a way that the whole mouth did not become wet on the inside, such drinking will not suffice. The mouth must be rinsed.

17. If oil is on the hair of the head or on the hands and feet, so that water does not properly settle on the skin, but rolls off immediately, it does not matter. Ghusl is considered correct.

18. If a piece of betel-nut etc. got stuck between the teeth, it should be removed with a toothpick (or floss etc.). If due to this obstruction water does not reach the teeth, ghusl will not be complete.

19. Should a woman have decorating paint on her face (make up), or have her hair so covered with waxy cosmetics, so that the hair or skin cannot be thoroughly wetted, the hair cosmetic and face colouring must be properly washed off. If water does not reach under the wax or cosmetics, and just flows over it, ghusl will not be valid.

20. If a woman adorned her teeth with coloured tooth powder, this should be removed by gargling, otherwise ghusl will not be valid.

21. Someone's eye is sore because too much pus comes out and settles on the eye. It dries up in such a manner that if it is not removed, water will not reach the lower part of the eye. In this case it is waajib to loosen and remove the layer of hardened pus, as neither wuduu nor ghusl will be correct unless it is removed.

22. When anyone on whom ghusl is waajib, desires to eat or drink before ghusl, it is best to first wash the hands, rinse the mouth, and then eat.

That which makes ghusl waajib

1. When, with the passion of youth a person's manii (sperm) flows out, whether asleep or awake, ghusl (sunnah bath) becomes obligatory, irrespective of how it flows.

2. When the head of the male organ enters the vagina of the female, with or without an ejaculation of manii, ghusl is waajib. It becomes waajib when it enters the vagina or the anus. However, it is an extremely sinful act to make it enter the anus.

3. When a man wakes up from sleep and sees manii on his clothes, ghusl becomes waajib, whether he has had a wet dream or not. If only madhii (sperm atorrhea, pre-seminal fluid) comes out, no ghusl need to be done, only wuduu.

4. When the flow of menstrual blood ends, ghusl is waajib. Similarly ghusl is necessary when the blood of nifaas stops.

Note: Four things cause ghusl to become waajib:

a. The flow of manii with desire.
b. Entrance of a male sexual organ into the vagina.
c. Menstruation.
d. Nifaas.

5. When a man has sexual relations with a young girl below the age of puberty, ghusl is not waajib upon her. However to accustom her to ghusl, she should be asked to do so.

6. If a person, whilst sleeping dreams of having sexual intercourse and even experiences ecstatic feelings but on waking, no traces of manii is found, such a person need not do ghusl. If manii was ejaculated, ghusl is waajib. If he becomes aware of some wetness in the region of his private parts, ghusl is waajib.

7. Should a person because of illness find manii flowing without any desire or passion, ghusl is not compulsory, although wuduu breaks.

8. Should husband and wife sleep in the same bed and on waking find a spot of manii on the sheets, although neither of the two remember

having had a wet dream, then by way of precaution, both should do ghusl.

9. Should an uncircumcised person find manii flowing out of him, but it remains inside the skin (which is generally removed in circumcision), then too ghusl is waajib.

10. Should a man wrap his organ in a cloth etc., and then insert it into the vagina, then if the heat of the female body is felt, ghusl becomes fard. However whether one feels the body heat or not, by way of precaution one should do ghusl.

When ghusl is not waajib

1. When manii (sperm) comes out without having been dislodged from its place of storage in the body by desire, then ghusl (sunnah bath) is not waajib. This may happen when a man falls from a high place and on falling ejaculates manii without any sexual desire being felt.

2. If a man has sexual relations with a very young girl, ghusl is not waajib on him unless manii is ejaculated.

3. It is also not waajib to do ghusl if less than the front section of a man's organ enters into a vagina.

4. No ghusl is required when madhii (sperm atorrhea, pre-seminal fluid) or wadii (pre-coital white fluid) comes out of the sexual organ.

5. No ghusl is fard because of istihaadah.

6. If one has an ailment where manii continuously flows out, ghusl is not waajib.

7. No ghusl is required if a syringe is inserted into the private parts.

8. If a man inserts his organ into the navel of a female or male, no ghusl is waajib.

9. If in a dream a man sees himself ejaculating manii and experiences desire, then on waking up ghusl will not be waajib if he does not see any wetness.

Cases where ghusl is also waajib

1. When a non-Muslim accepts Islaam after having committed any of the things that brings about hadath akbar (major impurity) on him, ghusl becomes waajib on him immediately after embracing Islaam.

2. When a boy reaches puberty before his fifteenth year and has his first wet-dream, ghusl should be done as a precautionary measure. After his fifteenth year it is waajib.

3. It is a fard kifaayah to do ghusl on the corpse of any Muslim.

When ghusl is sunnah

1. It is sunnah for those people on whom jumu'ah salaah is waajib to have ghusl on Fridays between fajr salaah until the time of jumu'ah.

2. It is sunnah for those on whom salaatul 'eiid is waajib to do ghusl after fajr salaah on both days of 'eiid.

3. It is sunnah to do ghusl before putting on the ihraam for both hajj and 'umrah.

4. It is sunnah for hujjaaj (pilgrims) to do ghusl on the day of 'Arafah after zawaal.

When ghusl is mustahab

1. When anyone desires to embrace Islaam, ghusl is mustahab, but if the person has hadath akbar (major impurity), it is waajib.

2. When a boy or girl reaches the age of fifteen years and if there is as yet no sign of puberty, ghusl is mustahab.

3. It is mustahab to have ghusl after having done ghusl of a mayyit (deceased).

4. It is mustahab to do ghusl on the night of Baraa-ah i.e., the 15th night of Sha'baan and also for the following occasions:

5. Before entering Madiinah Munawwarah for ziyaarah (visit).

6. For staying over at Muzdalifah on the morning of 10th Dhul-Hijjah after fajr, but before sunrise.

7. For the tawaafuz ziyaarah.

8. Before pelting the jamaraat at Minaa.

9. For the salaahs of kusuuf (solar eclipse), khusuuf (lunar eclipse) and istisqaa (salaah for rain).

10. For the salaah done at a time of intense fear and calamity.

11. After returning home from a journey.

12. Before taking part in any public gathering and before putting on new clothes (or clean clothes).

13. It is also mustahab that a person who is to be executed should do ghusl.

14. When ghusl has become waajib on a person and one desires to eat or drink before doing the compulsory ghusl, then it is advisable for one to first wash the hands and rinse the mouth and then eat. Should one eat without washing the hands and mouth, it does not matter.

Waters to be used for ghusl and wuduu

1. Doing ghusl (sunnah bath) with rainwater, water from rivers, canals, fountains, ponds, pools or from the sea is permissible, whether these waters are sweet or brackish.

2. It is not correct to use water for wuduu (ablution) extracted from the fruit or leaves of a tree. Similarly the water from melons and fruit juices may not be used.

3. Water may not be used to which something had been added, or in which something was boiled, or water which was changed, so that one does not ordinarily refer to it as water, e.g., juice, sauce, vinegar, rose-water, etc.

4. Wuduu and ghusl will be correct if water is used to which a clean thing is added and which does not change the taste, smell and colour of the water, and on condition that the added thing was not boiled in water and does not affect the fluidity of the water. An example is when sand is added to the water, or when za'faraan (saffron) is added to it which changes the colour slightly, or when soap is added.

5. If anything is added to the water and cooked therein so that the taste, colour and smell of the water changes, wuduu and ghusl with such water is incorrect. And if anything is boiled in the water so that it becomes cleaned of anything that may have clung to it, then, too, wuduu is correct as long as the water, after boiling, does not become thickened, for example, when certain leaves are boiled in water for washing a mayyit. But if so many leaves are used that the water gets thick, it may not be used.

6. If, in order to dye clothes, za'faraan (saffron), or some colouring powder is dissolved in water, then wuduu with such water will not be correct.

7. If milk is added to water to such an extent that the colour of water changes completely, wuduu and ghusl will not be correct. But if only a little milk is added which only changes the water's colour slightly, it does not matter.

8. If someone finds a little water somewhere in the fields and does not know whether it is unclean and impure, one should consider it clean and use it for tahaarah. One should not avoid using that water merely because of the possibility that it may be impure. If one leaves the water and does tayammum, the tayammum will not be correct.

9. Where leaves have fallen into a well, causing the water to change in colour and smell, the water may still be used for wuduu as long as its fluidity remains.

10. When impurities fall into water, it becomes impure for the use of wuduu or ghusl. However if it is flowing water, the water does not become impure and unfit for use, unless the colour, taste and smell of the water changes. If the taste, smell and colour of the water changes then even flowing water becomes impure.

11. Any pond which is approximately 10 x 10 cubits (approximately 4.8 x 4.8 metres) in size and so deep that if a handful of water is taken, the ground under it does not become visible, it is considered to be like flowing water. If any impurities fall into such a pond, which do not appear visible in the water but mixes so that no trace of it can be seen, e.g., urine, blood, liquor etc., then it is still permissible to do wuduu on any of its four sides.

But if the impurity is visible in the water, then one should not do wuduu on the side where the impurity is. Wuduu may be done on the other sides.

However, if in such a big pond or pool, so many impurities have fallen in that the smell, colour and taste of the water changes or begins to smell badly, the water is impure.

12. Any pool which is 7m x 1.75m (20' x 5') or 8.75m x 1.40m (25' x 4'), is also considered to be like flowing water.

13. When water flows very slowly, then it is best not to do wuduu quickly, so that the water which falls from washing any limb is not used again.

14. In a large pond (the size mentioned above), if one takes some

of the water which had fallen off from washing a limb, then it does not matter.

15. When a non-Muslim child puts his hand in little clean water the water does not become impure. But if it is known that there was some najis on the hand, the water is contaminated. However even if the clean hand does not contaminate the water, it is best not to use the water touched by the hand because one cannot be sure about the testimony of small children.

16. If insects which have no circulating blood die in water, or died outside it and then fell into the water, the water does not become impure. This refers to mosquitoes, flies, frogs, spiders, scorpions, etc.

17. Creatures, which are born in, live and die in water, do not contaminate the water. The water remains pure. Examples are fish, frogs, etc.

18. If creatures that were not born in water, but live in or on it, and then die in it, the water is unfit for wuduu or ghusl, e.g., waterfowl, ducks etc.

19. Water heated by the sun should not be used for wuduu or ghusl as there is fear that it may cause leprosy.

20. The skins of dead animals, if cleansed and dried in the sun or tanned with the use of some other materials, become clean and may be used for performing salaah thereon. They may also be used as water-bags. The skins of pigs never become taahir (clean).

21. The skins of dogs, apes, cats and lions which become clean through tanning, also become clean by saying "Bismillaah" at the time of slaughter. But the meat of such animals do not become halaal.

22. The teeth, bones, horns and hooves of dead animals are not najis and as such do not make water impure. But if the bones of such animals have some cartilage or meat attached to it, the bones are impure and the water is contaminated.

23. The bones and hair of men are also clean, but may not be used for any purpose. Such things should be buried with due respect.

The use of water

1. Any water which has changed in colour, taste and smell because of

impurities is not suitable to be used for tahaarah (cleaning, purifying), neither should it be given to animals, nor mixed with mud to form mortar.

2. Regarding the water of the sea, rivers, those ponds which are on land that does not belong to anyone, and ponds which are on waqf (trust) land, these are for the general use of all people. No one has the right to prohibit anyone from using such waters.

3. The owner of land on which there is a well, fountain, pond or a river, may not prohibit others from drinking, giving their animals to drink, doing wuduu, washing clothes or irrigating crops, because as far as water is concerned, all have the right to its use. However, if because of the fear that large numbers of animals may deplete the water supply or spoil the river, the owner may prohibit the use of water. It is however not permissible for anyone to irrigate crops from that water without the owner's permission. If permission is not obtained, the owner may prevent one from using the water. The same applies to grass, grazing and vegetation on the owner's land.

4. When anyone fills a jug or water bag with water from the sea, river, dam or well, that water becomes his private property, and no one has the right to use it without his permission.

5. The water which is placed along streets for people to drink during the hot season may not be used for wuduu. But if there is a lot of water, one may use some for wuduu. Water placed at certain spots for wuduu purposes may also be used for drinking.

6. If a piece of dung from a sheep or goat falls into any well, and is removed intact, then the well's water remain uncontaminated.

Water from a well

1. When any impurity falls into a well, the well becomes najis (unclean). Whether there was much najaasah (impurity) or not, the well only becomes clean if all the water is taken out. When all the water is drawn from the well, there is no need to wash either the inside of the well, the walls, rope, bucket etc. These all become automatically clean with the well becoming clean. Taking out all the water from the well means drawing all the water out, so much so that if in the end a bucket is let

down for water at the bottom of the well, less than half a bucket gets drawn.

2. If the dung of a pigeon or a bird falls into the well, the well does not become najis, but the dung of a duck contaminates the well, therefore all the water will have to be drawn out.

3. If a dog, cat, cow, sheep etc. urinates into the well, or some other najaasah falls into the well and dies and swells up or bursts open, all the water must be drawn out.

4. If a person or a sheep or any animal falls into a well and dies in it, all the water must be drawn out. If any of these die outside the well and then fall into it, the same rule applies.

5. If any living animal, big or small, falls into a well and dies and swells up or bursts open, all the water of the well must be drawn out.

6. If a mouse or any similar small animal dies in the well and does not become swollen or bursts, twenty buckets of water must be taken out after the mouse has been removed. It is better to take out thirty buckets.

7. The same as above should be done if a lizard which has circulating blood falls and dies in a well. And in the case of a similar animal without circulating blood, the well does not become najis.

8. If a pigeon, chicken, cat or any similar type of animal falls into a well and dies, without becoming swollen or bursting open, forty buckets must be taken out. It is preferable that sixty buckets be drawn out.

9. The buckets of water taken out should be according to the size of the bucket attached to the well. If a bigger bucket is used, the amount should be regulated according to the bucket of the well.

10. If the well is a fast-flowing one which fills up from beneath the ground, then in the case where all the water must be drawn, it is better to judge the amount of buckets presently in the well and to take out an equal amount. Otherwise three hundred buckets will suffice.

11. A dead mouse or some similar animal is found in a well. The animal has not as yet swollen up nor burst open, and it is not known when the animal fell into the water and thereby contaminated it. In

this case, everyone who had done wuduu with water from this well and do salaah, should repeat the salaah for one day and night (qadaa). And all clothes which were washed with it (that day and night) should be re-washed. But if it appears that the dead mouse had already swollen up or split open, the salaah for three days and nights shall be repeated. (Some 'ulamaa [scholars] have said that the water of the well shall only be considered najis from the moment it became known that the water became najis. All previous salaahs will be correct).

12. If a person who has to bath, gets down into the well and into the water for the purpose of looking for the bucket etc., then as long as his body and clothes are not dirty, the well remains clean. Similarly, if any non-Muslim goes down into the well without impurities on his body and clothes the well remains clean. If there is najaasah on him, the well becomes najis and all the water must be taken out.

13. If a cat, caught and bit a mouse which somehow escaped and was blood-covered from bite wounds, fell into a well, then all the water of the well must be taken out.

14. If a mouse coming out of a dirty pipe or sewer with dirt on its body falls into the well, then whether it comes out alive or dead, the water becomes najis and all the water will have to be taken out.

15. If any blood of a mouse, lizard or similar animal with circulating blood falls into a well, it also causes najaasah and all the water must be taken out.

16. If something fell into a well and made it najis, and despite all efforts it cannot be removed, then one must consider the (najis) article. If it is such that it is taahir (paak, clean) in itself, but became najis through impurities attached to it, like a najis cloth; najis ball; najis shoes, one may take out the article, and an amount of water must be taken out. If however the najis article is something najis in itself, e.g., a dead animal, mouse etc., the well will not be considered taahir until it is quite certain that the thing has disintegrated and became part of the soil. Only then should all the water be drawn from it and the well will become taahir.

17. The amount of water that is necessary to be drawn from the well may either be drawn all at once, or little by little over a period. In both cases the well will become taahir.

Those who are without wuduu

1. It is makruuh tahriimii to touch the Qur-aan Kariim or pages of its ajzaa (paaras, parts), whether one touches that part where the verses are written (printed) or those parts of the paper without any printing. If a full aa-yah (verse) of the Qur-aan is written on a sheet of paper or cloth etc., in such a way that apart from the written aa-yah the rest is clear, then it is permissible to touch the clear portion of the paper or cloth, as long as the written (printed) portion is not touched.

2. The writing of less than a full verse is not makruuh if it is written in a book.

3. It is not makruuh for young children under the age of puberty who are without wuduu to touch the Qur-aan.

The state of major impurity (requiring ghusl)

1. It is haraam (forbidden) for the person on whom ghusl (sunnah bath) is fard to enter a masjid. If there is a very great and urgent need for doing so, do tayammum then enter.

2. It is however permissible to enter the 'eiidgaah - musallaa (special place where 'eiid salaah is done), madrasah or khaanqaah.

3. When a woman is in menstruation and nifaas, it is prohibited to have sexual intercourse with her, or to see the section of the body between the navel and the knees, or for a man to attach his body to hers without clothing between.

4. To kiss a woman during menstruation or to drink of that from which she drank, or to sleep with her, or to attach one's body to hers (with or without clothing between) except that portion between the knees and the navel, is permissible. In fact, it is makruuh not to sleep with her or to avoid her merely because of menstruation.

That from which animals have eaten

1. The left-over food or drink of any human, Muslim, non-Muslim or non-religious person, is considered clean, so is the left-overs of a woman in hayd or nifaas. Even the sweat of such people is clean.

2. The left-over water of a dog is najis. If a dog had put its mouth into any utensil, it will only become taahir (paak, clean) after washing

it three times, even if the utensil is of clay or metal etc. It is, however, better that such a utensil be washed seven times, and once with sand so that it becomes properly clean.

3. The left-over water of a pig is najis. Also the left-overs of a lion, tiger, wolf, baboon, vulture etc. The left-overs of all carnivorous (flesh-eating) animals is najis.

4. The left-over water from which a cat has drunk is clean but makruuh to use. If other water is available, this water should not be used for wuduu.

5. If a cat put its mouth in milk or other food, then if Allaah has blessed one with wealth and one has other food to eat, one should not eat or drink it. But if one is poor it may be eaten. If one eats such food there is no sin nor is it makruuh.

6. If a cat eats a mouse and soon thereafter put its mouth into any food, the food becomes najis. If after eating the mouse, the cat took some time and cleaned its mouth with its tongue before putting it into food, the food does not become najis, but remains makruuh.

7. The left-over water of a fowl which roams around freely eating all kinds of dirty things is makruuh. The remains of a fowl which was kept in a clean enclosure is taahir.

8. The left-over water of hunting birds like hawks, falcons, and eagles are makruuh. Birds that are reared and domesticated and do not eat carrion, nor is there doubt of any najaasah on their beaks, their leftovers are taahir .

9. The left-over water of halaal animals, like sheep, goats, cows, oxen, buffaloes, buck etc., and halaal birds, like doves, pigeons, mynas, parrots etc., are taahir. The left-over water of horses is also taahir.

10. Reptiles that live in houses, like snakes, scorpions, mice, lizards etc., their leftover water is makruuh.

11. If a mouse has eaten from a piece of bread, it is best that a piece be broken off from around the eaten spot. The rest may be eaten.

12. Although left-over water of mules and donkeys is clean, it is doubtful whether such water may be used for wuduu. Hence, if no other water is available, it is best to do wuduu with such water and then also to do tayammum.

13. Those animals whose left-over water is najis, their sweat is also najis. And those whose left-over water is clean, so also is their sweat. Those whose left-over water is makruuh, so also is their sweat. If the sweat of a mule or donkey touches the clothes or body, it is not waajib to wash, but it is better to do so.

14. If one has a cat in the home which licks its master's hands etc., then wherever the cat has licked or its saliva has touched, should be washed, otherwise it will be makruuh.

15. It is makruuh for a woman to eat from any food left over by non-mahram males if she is aware of such food. If she does not know it, is not makruuh.

Tayammum (substitute for wuduu)

1. If a person is in the wilderness and does not know where water may be found, neither is there anyone who may be asked, tayammum should be done. If a reliable and truthful person is found who informs of the availability of water within a shar'ee mile, or through some indication of one's mind, one feels that within the distance of one shar'ee mile, water is surely available and it will not cause one or one's companions any undue difficulty, then it is not permissible to make tayammum without properly searching for water. If one is certain that within one shar'ee mile water is available, then it is waajib to acquire it. One shar'ee mile equals nine furlongs. (i.e. 9 x 220 yards = 1 ¼ mile or roughly 2 kilometres).

2. If it is known that water is available at a spot more than one shar'ee mile away, then there is no need to go so far to obtain it. In such a case it will be correct to do tayammum.

3. If a person is more than a shar'ee mile from a built-up area and there is no water nearby, it will be correct to do tayammum, whether one is a musaafir (traveller) or not.

4. When one finds a well on the way and no one has a rope and bucket to draw water, then too tayammum may be done.

5. If water is found, but is sufficient to wash the face, both arms and feet (and wiping the head) once only, then it will not be correct to do tayammum. One should wash those parts once and wipe the wet hands over the head. If the water is not enough for this, do tayammum.

6. If because of an ailment the use of water will be harmful, or if wuduu or ghusl (sunnah bath) is done the ailment will aggravate or delay healing, then doing tayammum will be correct. If cold water would be harmful but not warm water, then it is waajib to do ghusl and wuduu with warm water. Where warm water is not available, then it is permissible to do tayammum.

7. If water is near at hand, but a woman who, because of shyness from men or who observes purdah does not go to fetch it, she may not do tayammum. An observance of purdah whereby some commandment of sharii'ah is cast aside, is not permissible. However, a woman should not expose her hands and face in front of people.

8. If for some reason wuduu cannot be done with water, tayammum should be done, no matter how many days pass. One should not harbour any doubts and reservations in one's heart because whatever cleanliness is attained by making wuduu is also attained by tayammum.

9. When water is sold and one does not have the means to buy it, tayammum can be done. If however one does have the means and it is more than one's basic needs, it is waajib to buy the water. Where the price is high, it is not waajib to buy the water and doing tayammum will be correct.

10. If it is very cold and the use of water could lead to death or illness, and there are no blankets etc. wherein one may wrap oneself, it will be correct to do tayammum.

11. If more than half a person's body is covered by wounds or one has smallpox, it is not necessary to do wuduu. Tayammum will suffice.

12. When in the field or bush one did tayammum and salaah but did not know that there was water nearby, the tayammum and salaah will both be correct and there will be no need to repeat these.

13. If on a journey a companion has some water, then it will not be correct to do tayammum without asking the companion for water. (If the companion refuses, tayammum may be done.)

14. If a container filled with zamzam is available, then tayammum is not permissible. It is waajib to open the zamzam container and use it for wuduu and ghusl.

15. A person has some water but the road is difficult, and water

may not be found, and it is feared that due to thirst one will face death or hardship, then the water may be saved and tayammum done.

16. If doing ghusl causes harm and doing wuduu does not, then in place of ghusl tayammum may be done. Then, after such tayammum if wuduu breaks, tayammum should not be done for wuduu, but wuduu must be done.

17. The method of doing tayammum is as follows. Strike both hands on clean (dusty) soil and wipe over the full face. Then strike the hands on the soil again and wipe both arms up to and including the elbows. A woman should rub the dust between her bangles and bracelets because if even a spot equivalent the size of nail on the face or arms is left out, tayammum will not be correct. Khilaal of the fingers should also be made.

18. After striking the hands in the dust, shake off the dust from the hands so that the hands and face do not become soiled and one's appearance spoiled.

19. Besides earth, tayammum may also be made with any product from the ground, e.g., sand, stones, cement, lime, sulphur, collyrium (kuhl, surmah powder), red dust, brick dust etc. Anything which is not formed from the soil cannot be used, e.g., gold, silver, tin, pewter, wheat, wood, cloth, grain, etc.

20. All things not burnt by fire nor melted by it, are of the soil. Things that turn to ash after burning may not be used in tayammum. It is not correct to do tayammum with ash.

21. Using copper, pillows, eiderdowns, cloth, etc. for tayammum, is not correct. It will be correct to strike on a clay pot whether there is water in it or not. However, if the clay pot is painted or varnished, tayammum will not be correct.

22. If urine etc., pollutes the ground but it becomes dry in the sun and the smell disappears, the ground becomes taahir (paak - clean) and salaah done on it is correct. However, tayammum may not be done on such ground if one knows of the urine etc. If one is unaware or does not know about it, one need not hesitate to do tayammum.

23. Just as tayammum may be done instead of wuduu, so also it may be used instead of ghusl where necessary. There is no difference

between the form of tayammum for ghusl and wuduu. The same method is followed for both.

24. When doing tayammum, the niyyah (intention) for tayammum is necessary. One need only have the intention in one's heart to do tayammum in order to become taahir, or that it is for doing salaah, hence tayammum will be valid.

25. When one has done tayammum for performing a salaah, it is permissible to do salaah at another time with it, and it will also be permissible to touch the Qur-aan with it.

26. If a person has to do ghusl and also does not have wuduu, then one tayammum will suffice. It is not necessary to do two separate tayammums.

27. A person did tayammum, then performed salaah, and thereafter found water. It is not waajib to repeat the salaah as that salaah is valid.

28. When water is not more than one shar'ee mile away, but time is so short that if one goes to get it, the salaah time will expire. In such a situation one is not allowed to do tayammum. Water must be fetched and wuduu done and the salaah done as qadaa (discharging or completing a lapse).

29. When water is available, it will not be correct to do tayammum to touch the Qur-aan.

30. When there is a hope of finding water further ahead, it will be better not to do salaah at the earliest time. One should wait till water is found, but should take care that the delay does not result in the time becoming makruuh.

31. If water is available but one fears that if one gets off a train to do wuduu the train will depart tayammum can be done. If water is found but there is a snake or some dangerous animal near it, then too tayammum may be done.

32. A person went on a journey and took some water. The person then forgot about the water, did tayammum and performed salaah. Later one remembered the water. In such a case it is not waajib to repeat the salaah.

33. A person did tayammum instead of wuduu. If sufficient water

for wuduu is found, the tayammum becomes void. If it is less than what is required for wuduu, the tayammum does not break.

34. If water is found on the road but a person was unaware of it, tayammum does not break. Similarly, if along the way water is found but one could not get off the train for it, tayammum does not break.

35. When tayammum is done because of some illness, then once the sickness goes away, tayammum breaks. Now wuduu and ghusl becomes waajib.

36. Water was not found and therefore tayammum was done. Then an illness was contracted which is worsened by water. Now water is found. That tayammum does not remain valid which was done due to the illness and not having found water. A new tayammum has to be done again.

37. A person requiring ghusl was busy doing ghusl when the water supply was cut off or used up, while some part of the body was still unwashed and dry. The person has not become taahir and should do tayammum. When water is found later, only that portion must be washed which had remained dry. There is no need to repeat the ghusl.

38. A person's clothes or body are najis (unclean) and one needs to do wuduu but there is very little water - not enough for washing clothes and doing wuduu. In such a case, the clothes and the body must be washed, and in place of wuduu, tayammum done.

39. There is nothing available to draw water from a well; or there is water in an earthen pot but there is no utensil to take out water from it, nor can the earthen pot be tilted to use the water. The hands are najis and there is no other person that can assist to wash the najis hands. In such cases tayammum will be correct.

40. If an excuse for doing tayammum was due to the action of other people, then when the excuse falls away, all the salaahs done with such tayammum must be repeated, e.g., a person in jail to whom the jailor does not give water for wuduu, or a person threatens: "If you do wuduu I will beat you."

41. When several people, one after another, do tayammum with the same clod of earth, it will be correct.

42. When a person is unable to use water or dust, either because of the unavailability thereof or because of sickness, the salaah should be done without tahaarah and later repeated with tahaarah. For example, a person on a train cannot obtain water nor dust, and the time for salaah sets in. During the period of salaah, water, an earthen utensil or dust is not available, and the time for salaah will pass. In such circumstances, salaah should be done without tahaarah.

43. If a person is certain that water will be found in the later part of any salaah time, it is mustahab (preferable) to wait till the last moments of the salaah time. For example, if a person is on a train and is certain or strongly presumes that the train will reach a station where water will be available before the makruuh time of that salaah begins, then it is mustahab to wait.

Mas-h on khuffs

If khuffs (leather socks) are worn after doing wuduu, and thereafter when wuduu breaks, it is permissible to make mas-h (passing wet hands) on the khuff while doing wuduu again. It is best that the khuffs be removed and feet washed when doing wuduu.

1. If the khuffs are so small that the ankles are not covered, then mas-h over the leather socks will not be correct. Similarly if the khuffs are worn without first having done wuduu, then mas-h on them is not valid. The khuffs must be removed and feet washed.

2. When travelling, mas-h is allowed for three days and nights and if not travelling then for one day and night. The calculation of one day and night or three days and nights will begin from the time wuduu breaks and not from the moment that the leather socks were put on. For example: A person did wuduu at the time of zuhr and put on the khuffs. Thereafter wuduu broke at the time of sunset. Now this (non-musaafir) person can continue to do mas-h on the khuffs until the next day at sunset. In the case of a musaafir it will be until the time of sunset three days thereafter. When the sun sets, mas-h will not be correct.

3. If something took place which made ghusl waajib, the khuffs must be removed for the ghusl. It is not permissible to make mas-h on khuffs, or wear them during ghusl.

4. Mas-h shall be done on the top of the foot and not on the bottom of the foot.

5. The manner of doing mas-h is as follows: Wet all the fingers of the hand. Place the fingers on the khuff covering the top part of the foot and keeping the palm away from the foot, pull them from the toes towards the ankles.

6. If the fingers are drawn from the ankles towards the toes, the mas-h is still considered correct but this manner is not the mustahab way. Similarly, if mas-h is made from one side of the foot to the other side (viz. the width) then too it is correct but contrary to the mustahab manner.

7. Mas-h will not be correct if it is done on the bottom or back of the foot or on the sides.

8. If only the tips of the fingers are placed on the khuffs, mas-h will be incorrect.

9. It is mustahab (preferable) to use the palm when making mas-h. If the upper portion of the palms are used it will also be correct.

10. If anyone does not do mas-h but comes out into the rain or walks in wet grass so that the khuffs become wet, mas-h has been attained.

11. The minimum number of fingers that are fard (obligatory) to use in mas-h are three. If it is done with less than three fingers, it will not be correct.

12. Any of those things which break the wuduu also nullify the mas-h. Mas-h is also nullified by removing the khuffs. For example: A person's wuduu did not break and the khuffs were taken off. The mas-h is now no longer valid. Both feet will now have to be washed before putting the khuffs on again. Wuduu is not necessary.

13. If one khuff is removed, it becomes necessary to also remove the other one and to wash both feet.

14. The mas-h terminates and become nullified when the time period (of one or three days) expires. If wuduu is still valid, the khuffs must be removed and the feet washed. It is not waajib to do a complete wuduu. But if wuduu did break, the khuffs must be removed and complete wuduu done.

15. If after mas-h on the khuffs the feet somehow got immersed in water, perhaps because the khuffs were loose-fitting, and water entered therein, causing the whole foot or more than half to become wet, the mas-h becomes nullified. In this case both khuffs must be removed and both feet washed thoroughly.

16. Should the khuffs tear so that while walking three small toes become exposed, mas-h will be incorrect on such khuffs. If the tear is less than that, mas-h on it will be correct.

17. If on one khuff, the tear equals the size of two small toes and on the other it equals one, it does not matter. Mas-h will be correct. But if on one foot there are several tears all of which amount to the size of three small toes, mas-h will not be permissible. If all the tears put together do not equal the area of three toes, mas-h on them is correct.

18. A person did mas-h and before one day and night had passed, the person became a musaafir (traveller). In such a case, the time period will extend to three days and three nights.

19. Mas-h is not permissible on ordinary socks. However if leather is attached to the socks, or if leather is not attached to the whole sock but the likes of a male's shoe had been sewn onto the socks, or if the socks are of such a strong durable and closely-woven coarse material which stays in place on the feet without using any shoe-lace, garters etc., and is of such strong material, that one can walk in them for about four to five kilometres (without these tearing or becoming damaged), then mas-h on such socks is permissible.

20. Mas-h is not permissible on a burqa' (niqaab, veil) and gloves.

21. Mas-h is permissible on boots on condition that such boots cover the feet and the ankles, and if the slit is laced up thoroughly so that the foot does not become visible underneath.

22. If someone put on khuffs after having done tayammum, then when doing wuduu one cannot do mas-h on the khuffs, because tayammum is not a complete tahaarah.

23. Mas-h cannot be made during ghusl, whether such ghusl is fard or sunnah. e.g., ghusl is made in such a manner that one sits raising the feet and washes the remaining portion of the body, then makes mas-h on the feet.

24. In the manner that the wuduu of a ma'dhuur (excused) lapses when the time for (any) salaah ends, so also mas-h of the ma'dhuur becomes nullified at the end of any salaah time. It is waajib to remove the khuff and wash the feet.

Hayd and istihaadah

Hayd (menstruation) is the name given to the customary blood which flows from the vagina of women every month.

1. The minimum period for hayd is three days and three nights, and the maximum period is ten days and ten nights. The blood that flows for less then three days and three nights or that which flows after ten days and ten nights is considered istihaadah.

2. If the flow is less than three days, it is not hayd but istihaadah. For example, if the onset of menstruation began at sunrise on Friday, and stopped flowing shortly before sunrise on Monday, it is istihaadah and not hayd.

3. During menstruation, whether the colour of the blood is red, yellowish, greenish, dust-coloured or whatever colour, it is hayd, until the pad which a woman wears does not remain white (become stained). She is only considered to be clean when the pad appears completely white as it had been when placed in position (i.e., the pad does not become soiled with menstruation).

4. No woman is considered to have hayd before her 9th year and after her 55th year. Hence, whatever blood flows from a woman before she turns 9 is not hayd, but istihaadah. If a woman has a flow of blood after her 55th year and it is deep-red or blackish in colour, it is hayd and if it is yellowish, greenish or any other colour, it is istihaadah. However, if a woman's menses are of a yellowish, greenish or dusty colour prior to her 55th year, then if after 55 she has the same, this flow will be considered hayd.

5. If a woman normally has her menstruation for a period of three to four days, but if in some months the period exceeded, but not more than ten days, it will be considered as hayd. If the flow exceeds ten days, then that which is in excess of the normal period will be regarded as istihaadah. All the salaahs not done during those days beyond the

three or four days, qadaa (discharging or completing a lapse) for it will have to done.

6. If a woman does not have a fixed customary period of hayd, e.g., at times the period is for four days and at times for seven days. In this manner it keeps on changing, at times lasting for ten days, all these will be considered hayd. If such a woman's hayd should last more than ten days at any time, she should check the number of days of hayd in the previous month, and consider that period to be hayd and all the rest istihaadah.

7. A woman always had hayd for four days. Then one month she had it for five days. Then the next month it lasted fifteen days. Of these fifteen days, five will be considered hayd and ten days will be istihaadah.

8. Should a girl experience her first menstrual flow and it lasts for ten days or slightly less than that, the flow of all these days will be hayd. And if it is for more than ten days, then the full ten days will be hayd and the extra days will be istihaadah.

9. The shortest 'clean' period between one hayd and the next one is fifteen days. There is no limit to the 'clean' period longer than that. If for some reason the menses are stopped, then for as long as there is no menstrual flow, she is considered 'clean'.

10. Should a woman experience menstruation for three days and nights, followed by a 'clean' period of fifteen days, which is again followed by menstruation for three days and nights, then the first three days of menstruation and the three days after the fifteen clean days will be hayd, while the fifteen days will be a 'clean' cycle.

11. If she has a flow of blood for one or two days, followed by a stop of fifteen days, which is in turn followed by a flow of blood for one or two days, then the fifteen days in between will definitely be 'clean' days, whereas the days before and after, when she saw blood, will not be hayd but istihaadah.

12. If blood flowed for one or several days and then remained 'clean' for less than fifteen days, this will not be relied upon. It should be treated as if blood had flowed for the whole period. Then whatever is her normal period of hayd will be regarded as hayd. The rest will

be taken as istihaadah. The example of is as is as follows: Someone generally begins her hayd on the first, second or third of the month. Then in a month it so happened the period began on the first of the month, then she remained 'clean' for fourteen days. Thereafter the blood flowed for a day. It should be treated as if the blood had flowed for sixteen days. The first three days of this period will be hayd and the rest of the thirteen will be istihaadah. However, if she has no normal period cycles and it was her first menstrual flow, ten days will be hayd and the rest istihaadah.

13. Any flow of blood from the vagina during pregnancy will not be hayd but istihaadah.

14. At the time of childbirth the blood flowing before birth is also istihaadah. In fact, until more than half of the infant emerges, the blood that emits will be considered istihaadah.

Regulations of hayd

1. Performing salaah and fasting during hayd (menstruation, female periods) is prohibited. The difference between the two is that there is complete exemption for salaah. After becoming taahir (paak - clean) qadaa (discharging and completing a lapse) is not waajib. However saum is not exempted. After becoming taahir, qadaa will have to be kept.

2. When hayd begins while a woman is in fard salaah, she is exempted from that salaah. After hayd there is no qadaa for it. However if she is in nafl or sunnah salaah and hayd commences, it will be waajib to do qadaa of it. If after completing half saum, hayd started, this fast is nullified and qadaa must be done later during a 'clean' cycle. If hayd begins during a nafl fast, qadaa for it must also be rendered.

3. If hayd commences towards the very last moments of any salaah time and the woman has not yet performed that salaah, she also becomes exempted from performing qadaa of that salaah.

4. It is a major sin to have sexual relations during hayd. Apart from sex all other relationships are permissible, like eating and drinking together; lying together etc.

5. If one's customary menstrual period is five days, and after the

customary five days, blood stops flowing. Thereafter until she does not do ghusl, sexual intercourse is not permissible. If she does not do ghusl then intercourse will be permissible only after the time for one salaah has passed by. In other words only after one salaah becomes qadaa, and not before that time.

6. If a woman's normal period of hayd is five days and the hayd stopped after four days, it will be waajib for her to do ghusl and do salaah. However, as for sexual intercourse, it will only be permissible after five days, because there is a possibility hayd may flow again.

7. If hayd lasted ten full days and nights, sex will be permissible as soon as she stops menstruating, whether she has ghusl or not.

8. When blood flows for one or two days and then stops, it is not waajib to do wuduu and do salaah, but intercourse will not be permissible. If the blood starts to flow again before a full fifteen days have passed, it will be known that the period of blood was indeed hayd. Now she should take the number of days as was her general custom as hayd. After calculating the actual days of hayd ghusl and salaah must be done. When full fifteen days had passed without any flow of blood, it will be known that those one or two days were indeed days of istihaadah. This means that qadaa must be done for those salaahs not performed on that one or two days.

9. The customary period of hayd is three days. In a certain month it so happened that three days passed and the bloodflow did not stop. Ghusl and salaah should not yet be done. If at the completion of ten days or less the flow of blood ends, the salaahs of this period will be pardoned and there is no qadaa. It will be taken as if the customary period had changed. Therefore all these days will be regarded as hayd. If, however, the blood continues into the eleventh day, it means that only three days were hayd and the rest were all istihaadah. On the eleventh day she should do ghusl, and do qadaa salaah for seven days. The salaah should not be missed.

10. If hayd lasted for less than ten days and ends when little time is left for the salaah of that time, wherein ghusl could be done hastily and thereafter niyyah (intention) and "Allaahu Akbar" said. If more than this cannot be recited, it is waajib to do the salaah of this time and to

render qadaa. If the time is less than that, this salaah is not fard upon her, and qadaa is not waajib.

11. If hayd lasted for a full ten days and nights and ends where only so much time is left to say "Allaahu Akbar", nor is it possible to have ghusl, then too that salaah is waajib and qadaa of it has to be done.

12. When hayd ends during the day in Ramadaan, it is not permissible to eat or drink after becoming taahir. It is waajib to abstain till sunset like those fasting. This day will, however not count as one of the fasted days of Ramadaan. Qadaa of it will have to be discharged.

13. If however (after ten days of hayd) the flow of blood stops at night, the saum of the next day is waajib. If the hayd lasted less than ten days and so much time was left wherein she could hastily do ghusl, that day's fast is waajib. If however there was so much time and ghusl was not done, she should not break the fast but make niyyah for fasting and should do ghusl in the morning. However, if there was even less time than that, and she could not do ghusl before daybreak, it is not permissible to fast. She should avoid eating and drinking, act like one fasting and do qadaa quickly afterwards for that day.

14. A woman placed a pad at night on her private parts and upon waking in the morning found a speck of blood on it. The beginning of hayd will be reckoned from the moment the blood was noticed.

Istihaadah

The rules pertaining to istihaadah are basically the same as that for a ma'dhuur (excused). It is just like a person whose nose bleeds continously. Such a woman should do salaah, saum etc., (as is done normally). There is no qadaa (discharging or completing a lapse). It is also permissible to have sexual relations.

Nifaas

1. The blood that flows from the vagina after childbirth is called nifaas. The maximum period for nifaas is forty days and there is no limit to its minimum. If blood of this type flows for only a very short period, (even a minute), it is still nifaas.

2. If after childbirth there is no nifaas [post-natal - after-birth blood] then too ghusl (sunnah bath) is waajib.

3. If more than half of a newborn child has emerged (but not yet completely), the blood that begins to flow is also nifaas.

4. If a woman has a miscarriage (or an abortion) and the foetus is such that it has at least one limb or organ in shape (e.g., arm, head, foot) then the blood that flows is nifaas. If it is only flesh without any shaped limb etc., it is not nifaas. If the blood flows for less then three days, or fifteen 'clean' days have not passed, then it will be istihaadah.

5. If the nifaas continues for more than forty days and it is the first childbirth, the first forty days will be nifaas and the rest istihaadah. Thus after forty days the mother should bath and do salaah without waiting for the blood to disappear completely. If, however, it is not the first child and the woman has a known customary period of nifaas, the customary period will be nifaas and the days in excess will be istihaadah.

6. If a woman has a general nifaas period of thirty days and afterwards the blood does not stop, she should not do ghusl. If at forty days the blood stops, all these days will be regarded as nifaas. If it exceeds forty days, thirty days only will be counted as nifaas and the rest as istihaadah. Hence, immediately when the forty days are exceeded, ghusl must be done and qadaa (discharging or completing a lapse) salaah for ten days rendered.

7. When nifaas ends before the completion of forty days, ghusl must be done immediately and salaah commenced. If for any reason ghusl is harmful, tayammum should be done instead. Under no circumstances should salaah be allowed to become qadaa.

8. During the period of nifaas a woman is exempted from salaah, but not from saum. The same masaa-il applying to saum, salaah and sexual intercourse in hayd is applicable in nifaas.

9. If within six months a woman gives birth to twins, nifaas is reckoned from the birth of the first one. If the second twin is born after ten or twenty days, or after one or two months, nifaas will not be reckoned from the birth of the second twin.

Regulations of hayd and nifaas

1. A woman in hayd or nifaas or on whom ghusl is waajib, is not permitted to enter a masjid, do tawaaf (circumambulate) of the Ka'bah, recite the Qur-aan or touch it. However, she will be allowed to touch and carry the Qur-aan if it is covered in a holder or covered with a cloth which is not sewn and attached to the cover, but is such that the covering is loose and may be taken off when necessary.

2. It is not permissible for her to touch any money, plate or ta'wiidh (amulet, talisman), or anything else on which any aa-yah (verse) of the Qur-aan is written. If that thing on which the aa-yah is written is placed in a holder, or a bag or purse, then it is permissible to touch that holder, bag or purse.

3. It is not permissible to touch the Qur-aan with the skirt of the dress or part of the head-covering being worn. However, if it is a separate cloth, completely separated from the body, like a handkerchief, towel etc., it is permissible.

4. If a complete aa-yah is not recited, but a word or half an aa-yah is recited, it will be permissible. But the half aa-yah should not be as long as a short aa-yah.

5. If with the niyyah of making du'aa, the whole of Suurah Faatihah or any du'aa or aa-yah of the Qur-aan is recited, or not recited with the intention of tilaawah, there is no sin. For instance this du'aa at the end of Suurah Baqarah:

رَبَّنَا آتِنَا فِي الدُّنْيَا حَسَنَةً وَّفِي الْآخِرَةِ حَسَنَةً وَّقِنَا عَذَابَ النَّار
رَبَّنَا لَا تُؤَاخِذْنَا إِنْ نَسِينَا أَوْ أَخْطَأْنَا ، رَبَّنَا وَلَا تَحْمِلْ عَلَيْنَا إِصْرًا كَمَا
حَمَلْتَهُ عَلَى الَّذِينَ مِنْ قَبْلِنَا ، رَبَّنَا وَلَا تُحَمِّلْنَا مَالَا طَاقَةَ لَنَا بِهِ ، وَاعْفُ
عَنَّا وَاغْفِرْ لَنَا وَارْحَمْنَا ، أَنْتَ مَوْلَانَا فَانْصُرْنَا عَلَى الْقَوْمِ الْكَافِرِينَ.

Rab-ba-naa aa-ti-naa fid dun-yaa hasa-na-taw wa-fil aa-khi-ra-ti ha-sa-na-taw wa qi-naa 'a-dhaa-ban naar.
Rab-ba-naa laa tu-aa-khidh-naa in na-sii-naa auw akh-ta-naa.
Rab-ba-naa wa-laa tah-mil 'a-lay-naa is-ran ka-maa ha-mal-ta-hu 'a-lal-la-dhii-na min qab-li-naa.

Rabba-naa wa-laa tu-ham-mil-naa maa-laa taa-qa-ta la-naa bih. Wa'fu 'an-naa wagh-fir lanaa war-ham-naa an-ta mau-laa-naa fan-sur-naa 'a-lal qau-mil kaa-fi-riin.

Our Rabb! Give unto us in the world that which is good and in the hereafter that which is good, and guard us from the doom of Fire. —Suurah Baqarah 2, 201.

Our Rabb! Condemn us not if we forget, or miss the mark! Our Rabb! Lay not on us such a burden as You did lay on those before us! Our Rabb! Impose not on us that which we have not the strength to bear! Pardon us, absolve us and have mercy on us, You, are our Protector, and give us victory over the disbelieving folk.
—Suurah Baqarah 2, 286.

6. It is also permissible to recite the du'aa qunuut.

7. A lady in hayd who teaches female children, will be allowed to teach hijaa (spelling). While teaching entire aa-yaah (verses), she should not recite the complete aa-yah, but say one or two words and take a breath. Aa-yaat (verses) should be taught while stopping after a word or two words.

8. The reciting of salawaat, mentioning the Great Names of Allaah; reciting istighfaar, or some waziifah (daily prescribed practice) like:

لا حَولَ وَلا قُوَّةَ إلا بِاللهِ العَلِيِّ العَظِيمِ

miiz-a' liy-yila' lih-aal-lib aal-li at-aw-wuq aal-aw al-woh aL

There is no might nor power except with Allaah.

is permissible.

9. During hayd it is mustahab at the time of salaah to do wuduu and sit for a little while on some taahir (paak - clean) place, reciting "Allaah, Allaah" (or making istighfaar etc.), so that the habit of doing salaah does not become lost. After becoming taahir it is not difficult to do salaah.

10. One needed to do ghusl, and had not yet done ghusl when hayd started. Now it is not waajib to do ghusl. After becoming taahir from hayd, one ghusl will suffice.

The cleansing of najaasah

1. Najaasah (naapaak, impurities) are of two kinds:
   a. Ghaliizah (heavy impurity), that which is of a heavy nature so that even if very little of it stains the clothing, it has to be washed off.
   b. Khafiifah (light impurity), that which is of a lesser and lighter type.

2. Of the ghaliizah type of najaasah are, blood, human urine, manii (sperm), wine, faeces, urine of dogs, cats, pig's meat, hair, bones and in fact everything coming from a pig, the dung of horses, donkeys, mules, cows, oxen, buffaloes etc.; the dung of sheep, goats, dung and faeces of all animals, the dung of geese, ducks; the urine of donkeys, mules and all other animals.

3. The urine of milk-drinking babies is also najaasah ghaliizah.

4. The dung of animals which may not be eaten as well as the urine of halaal (permitted) animals, e.g., sheep, cattle, buffaloes etc., and the urine of horses, are all najaasah khafiifah.

5. Except for the dung of chicken, geese and wild ducks, the dung of birds is not najis, e.g., pigeons, sparrows, mynahs. The urine of a bat and its faeces are also clean.

6. If something thin and fluid from among the ghaliizah najaasah should touch the clothes and soil an area 20/25mm in diameter (or about the size of a nickel 20 cent or a little more than the new 50 cent South African bronze coin) it will be exempted, and salaah can be done without removing this amount of najaasah. To keep on performing salaah in such clothes, and not removing the najaasah, is makruuh and detestable. If it is more than 25mm in diameter, there is no exemption. Without washing it out properly, salaah will not be valid. If, however, najaasah which is thick and non-fluid, soils the clothes, e.g., excreta, chicken faeces, etc., then if the weight is 4 1/2 maa-shah (4 grams) or less than that, salaah done without washing such soiled clothes will

be acceptable. If it exceeds this, ṣalaah will not be accepted without washing out the impurity.

7. Najaasah khafiifah gets onto the body or clothes. If the portion or limb it has affected is less than a quarter (of the affected portion or limb) thereof, it will be exempted. If it covers a full quarter or more, there is no exemption. It is waajib to wash out the najaasah (impurity). Without removing the najaasah, ṣalaah will not be correct.

8. Water which contains najaasah ghaliizah is also ghaliizah najis. If najaasah khafiifah falls therein, the water becomes najaasah khafiifah, regardless of the amount.

9. If najis oil, (oil mixed with impurities) gets onto the clothes and is less than 25mm in diameter (about an old 20 cent nickel or a bit larger than the new 50 cent bronze piece], and within two or three days spreads further, then until it does not exceed 25mm in diameter, it may be overlooked. If it spreads, the exemption falls away. It is waajib to wash it. Without washing it out, ṣalaah will not be valid.

10. The blood of fish is not najis; if it pollutes, no harm is done. The blood of flies, bugs and mosquitoes is not najis.

11. If a sprinkling of urine the size of the eye of a needle touches the clothes and is not visible, it is not waajib that it be washed away.

12. If any thick type of najaasah like human faeces (or dung) or blood touches the clothes, it should be washed until the najaasah and its stain is removed. It does not matter how many times the spot has to be washed. When the najaasah is washed off, the clothes become clean. The same rule applies to najaasah that gets onto the body. The najaasah should be washed at least three times.

13. If the najaasah is of such a type that even after numerous washings, the najaasah is gone but the smell remains or some stain is still visible, then the clothes are considered ṭaahir (paak - clean). There is no necessity to use soap etc., to do away with the smell or the stain.

14. If any najaasah which does not have body, like urine, touches the clothes, it should be washed three times, each time followed by tightly wringing the material. The third time the clothing should be wrung thoroughly. The material will be considered clean. If it is not properly and thoroughly done, the clothes will not be ṭaahir.

15. If the najaasah had touched something which cannot be wrung and squeezed, e.g., a chair, sofa (settee), carpet, jewels, utensils, shoes, then the manner of cleansing it is as follows. Wash it once and wait. When the water has stopped dripping from it, wash it once more, and when again the dripping stops, wash it once more. Washing it three times will make it taahir.

16. One may cleanse articles with something which is liquid and fluid like water, i.e., rose water or vinegar. But ghii, oil and milk etc., i.e., sticky things, may not be used for washing. If used for cleansing, the articles remain najis.

17. If any thick, visible najaasah like faeces, blood etc., touches the shoes or the khuffs (leather socks), then these should be rubbed against the ground until no sign of the najaasah is left. Then it will be considered taahir.

18. If any flowing najaasah like urine touches the shoes or khuffs, these will not become clean unless they are washed.

19. Clothes and the body of a person only become taahir after washing; whether the najaasah is of a liquid or thick type. It cannot be made taahir by any other method.

20. If mirrors, knives, silver and gold jewellery, (artificial) flowers, copper, iron, glass, etc., become najis, the najaasah must be properly cleaned and the najaasah removed. They may be thoroughly rubbed or scrubbed with sand, but ornamental items will only be cleansed by washing.

21. If najaasah falls upon the ground and become dry so that no sign of it is left behind and no smell, then by drying out, the earth becomes cleansed. However tayammum on such ground will not be correct, even though doing salaah upon it will be permissible. The same applies to bricks and stones which are solidly fixed in the ground with mortar so that the stones will only be able to be removed through digging. Drying out so that no sign of najaasah or its smell is left, renders it clean.

22. Loose bricks which are merely spread on the ground and not fixed with mortar, will not become taahir except through washing.

23. Grass growing in the soil also becomes clean on drying out, on

condition that no najaasah or smell thereof is left. If the grass is cut, it only becomes taahir after washing.

24. A knife, or a clay or copper vessel also becomes taahir if thrown into a fire.

25. Utensils made by a potter with najis clay will be najis for as long as it remains unbaked. When baked it becomes taahir.

26. When honey, syrup, ghii or oil becomes contaminated with najaasah, then water of the same amount as the substance or more should be added, and the mixture boiled. When no water remains, again add the same amount of water again and let the water evaporate. In this way, by boiling it three times, it becomes clean.

27. Cloth was dyed with a najis dye. Wash the cloth as often as is necessary for the water to run clear. (No trace of colour must remain in the water). This cloth is then taahir, whether the colour came off or not.

28. The ash from burning dung is clean and so is the smoke. If these touch the rotii (thin flat bread) etc. baked on it, no harm is done.

29. If one end of a carpet or sheet is najis and the remainder taahir, it is allowed to do salaah on the taahir portion.

30. A floor made of cow dung is najis. It is not permissible to do salaah on such a floor without spreading some form of covering or carpet over it.

31. If a floor plastered with dung dries out, then salaah can be done on it if a moist cloth is spread over it. The cloth must not be so wet that the plaster underneath it seeps through the cloth and soils one's clothes.

32. If after having washed his feet a person walks on najis ground so that the feet leave marks on the ground, the feet will not be najis. If, due to water on the feet the ground became so wet, that some of the earth or najis water stuck to the feet, the feet will be najis.

33. Someone slept on a bed and his clothes became wet with perspiration. The same rule will also apply here. Neither the cloth nor the body become najis.

34. Mendhii (henna) that was najis was applied to the hands and feet. After washing it thoroughly three times, the hands and feet become taahir. It is not waajib to remove the colour.

Some masaa-il on najaasah

1. If at the time of threshing cereal, an ox or cow urinates on it, then due to necessity, the cereal will be considered exempted. Should urine fall on the cereal again, it becomes najis (naapaak, impure).

2. Whatever food a kaafir (non-Muslim) prepares, that food and the utensils and clothes etc., should not be called najis, unless it becomes known by clear evidence or analogy that it is not taahir.

3. People who use lion's fat or similar fats should not regard it as taahir. But should a religiously-inclined and skilled tabiib (hakiim) or physician decide that for an illness there is nothing else, according to some 'ulamaa (scholars), it will be correct to use it. At the time of salaah, it is incumbent to remove it.

4. Mud and najis water on the roads are exempted on condition that no marks are noticeable on the body or clothes. This is the fatwaa (ruling) regarding this.

5. The vapour that emerges from najaasah is considered taahir. The insects in fruit etc., are also taahir, but are not permissible to eat if they are alive. The same applies to the insects in wild figs and all other fruits.

6. If any edible food become rotten and has a bad smell, it is not najis e.g., meat, sweetmeats, etc. Because it may cause possible health problems, it should not be eaten.

7. Mushk (musk) and its bag are taahir, likewise 'ambar (ambergris) etc., are also clean.

8. The watery substance flowing from the mouth of a sleeping person is also taahir.

9. Rotten eggs of halaal (lawful) animals are also taahir if they remain unbroken.

10. The water with which a najis thing has been washed, is also najis.

11. Water that has been used to wash a mayyit (deceased person) is najis.

12. The saliva from the mouth of a mayyit is najis.

13. The cast-off skin of a snake is clean but the skin on its body is najis.

14. On one side of a cloth najaasah is less than the area which is exempted, and penetrates the other side. Both sides are less than the exempted area, but if added both sides exceed the exempted area, it will be regarded as less and hence exempted. If the cloth is double (i.e. folded) and exceeds the exempted limit, it will be regarded as excess and is not exempted.

15. If at the time of milking a cow, goat or a buffalo, a little of the animal's dung fall into the milk, the milk will not become najis if the dung is removed immediately after it falls into the milk.

16. If a child of four or five years of age who does not yet understand the wuduu, does wuduu, or if an insane person does it, the water is not considered to have become musta'mal (used).

17. The water in which clean clothes, utensils and other things had been washed, may be used for wuduu, on condition that two of the three descriptive qualities of water (smell, taste, colour) are present and have not changed. If two have changed, wuduu will not be permissible with it.

18. It is makruuh to drink musta'mal water and use it in food (water already used for attaining cleanliness of the body through wuduu and ghusl). Wuduu and ghusl with such water is not correct. However, such water may be used for removing najaasah.

19. Someone not in a state of wuduu should not do wuduu with zamzam. Likewise one who is in need of ghusl should not use zamzam for ghusl. It is makruuh to wash najis (naapaak) things and use zamzam for istinjaa. If one is helpless or one is compelled to, and a necessary tahaarah cannot be attained in any other manner, then it is permissible to use zamzam.

20. It is preferable that a man should rather not do wuduu and ghusl with water that is left over after a woman has done wuduu or ghusl.

21. If a (clay) oven becomes contaminated with najaasah, it becomes clean through fire being made in it, on condition that after becoming hot there remains no sign of the najaasah.

22. If taahir earth is thrown on najis ground to cover the najaasah, and in this manner there will be no smell of the najaasah, then the top layer of the earth is taahir.

23. If soap is made with najis oil or fat, it is taahir.

24. If at the spot of opening a vein (during phlebotomy) or at any other spot where blood or pus comes out, an area became najis, and the washing of it will be harmful, then it may suffice to wipe it clean with a wet cloth, even if the colour of the blood or pus does not become completely removed.

25. If a greasy thing became najis, like oil, ghii, the fat of a dead animal, etc. having contaminated something, (that thing) should be washed so much that clean water begins to run from it. The washed article becomes taahir even if some greasiness still remains.

26. A najis thing falls into water. The falling causes a splash which falls onto someone. The splashing will be taahir if there is no sign of the najaasah in the splashing.

27. If one had rubbed najis oil into the hair or on the body, then according to the rules, it becomes taahir after washing it three times.

28. If a dog puts its mouth into dough, or a monkey makes it a "left over" after contaminating it, the dough becomes najis. Hence, whichever portion the mouth had touched, must be taken out, and it will be permissible to eat the rest. And if the dough is dry, then that part contaminated by saliva should be removed. The remainder will be taahir.

29. The saliva of a dog is najis but the dog itself is not. If a dog touches the clothes or body of anyone, it does not become najis, whether the body of the dog is dry or wet.

30. At the time of wearing a wet garment one breaks wind. This does not make the clothes najis.

31. If the wooden board on which one wishes to do salaah is najis on one side and taahir on the other side. If it is thick enough, then by turning it over to the other side and performing salaah on it, will be permissible. If it is not thick enough, salaah will not be correct.

32. There is a double-layered cloth, one layer is najis and the other taahir. If both layers are sewn together, it will not be correct to do salaah on the taahir side.

Istinjaa

1. After awakening from sleep, until the hand is washed up to the wrist, it should not be put into any container of water, whether the hands are taahir (paak, clean) or not taahir. If the water is in a small utensil, like a jug or a narrow-mouthed vessel, then lift the utensil with the left hand and pour water over the right hand, washing it three times (up to the wrists). Then take the utensil in the right hand and wash the left hand three times. If there is no water in a small utensil, but there is water in a bigger one, one should take water from it with a beaker or a glass in such a way that the fingers do not touch the water.

2. It is sunnah to make istinjaa of najaasah (naapaak, impurity) that comes out from the front or back portion of the private parts.

3. If the najaasah coming out of the private parts does not spread here and there (around), istinjaa is not made with water but with stones or clay clods. The private parts must be cleansed so thoroughly that all najaasah is removed. This method is permissible, but is not acceptable to a person who is meticulous about cleanliness. However, when water is not available, or there is not enough, it will be regarded as helplessness.

4. There is no special manner of using the clay clods. Ensure that the najaasah does not spread, and that the body becomes properly cleansed.

5. After using clay clods, it is sunnah to also use water during istinjaa. When the najaasah spreads over an area like the middle of the palm or the size of an old fifty cent coin, (i.e. 20/25mm in diameter around the place of exit), it becomes waajib to use water. Without washing with water salaah will not be valid.

6. When intending to make istinjaa with water, both hands should first be washed up to the wrists. Then go to a secluded spot (toilet, etc.), and squat whilst keeping the body loose. The private parts must be washed so thoroughly until it is felt that the body has become taahir.

7. Istinjaa should not be done with bones or anything najis like dung, or coal, charcoal, pebbles, glass, baked bricks, edible things, paper etc. Making istinjaa with the right hand is abominable and prohibited.

8. It is prohibited to pass water (urinate) while standing.

9. It is prohibited to pass water or to relieve oneself while facing or turning the back towards the qiblah (direction of the Ka'bah in Makkah Mukarramah).

10. It is also makruuh and prohibited to let a child defecate or urinate whilst facing the qiblah.

11. It is permissible to do wuduu with the water left over after istinjaa, and it is also permissible to use water left over after wuduu for istinjaa. But it is better not to do so.

12. When going to urinate or defecate, then outside the toilet say: "Bismillaah" and this du'aa:

اَللّٰهُمَّ إِنِّي أَعُوذُ بِكَ مِنَ الْخُبْثِ وَالْخَبَائِثِ

Al-laa-hum-ma in-nii 'a-oo-dhuu bi-ka mi-nal khub-thi wal-kha-baa-ith.

O Allaah, I seek refuge in You from the shaytaan (satan) and evil things.

13. One should not enter the toilet bareheaded. If a ring has Allaah or Rasuulullaah, sallallaahu 'alayhi wasallam's, name on it, it should be taken off before entering the toilet. One should enter with the left foot and not mention Allaah's name inside the toilet or while relieving oneself. If one sneezes, then "Alhamdulillaah" will only be said in the mind, and not verbally with the tongue. One should not utter anything or converse while relieving oneself. When leaving the toilet, the right foot should be placed out first and on emerging from the toilet say this du'aa:

غُفْرَانَكَ ، أَلْحَمْدُ لِلّٰهِ الَّذِي أَذْهَبَ عَنِّي الْأَذَى وَعَافَانِي

Ghuf-raa-na-ka, Al-ham-du-lil-laa-hil la-dhii adh-ha-ba 'an-nil a-dhaa wa-'aa-faa-nii.

Your mercy I seek O Allaah. Praise be to Allaah who has removed harmful things from me and granted me health.

Things to avoid while relieving oneself and urinating

Conversation; coughing unnecessarily; reciting any Qur-aanic verse, hadiith, or anything sacred, (whether it is read from a written text or by heart); to have on oneself a thing on which is written the name of Allaah, a nabii, angel or some aa-yah, hadiith, du'aa etc. However, when any sacred written thing is in a pocket or wrapped in cloth it is not makruuh. One should not stand or lie down while passing water or relieving oneself without a valid excuse; neither should one do so in a completely naked state; nor face or turn the back to the qiblah, sun or the moon. It is makruuh to relieve oneself on the bank of a river, dam, pool, pond etc., even if the najaasah does not fall in the water. Neither is it permissible under the shade of a tree where people are bound to sit; nor under a fruit bearing tree; or in places where people sit in the sun during winter to warm themselves; nor among animals; nor near a masjid or 'eiidgaah, where the smell will offend the musalliis; nor in a cemetery; neither at a place where people do wuduu or ghusl. It is also makruuh tahriimii on a road; while facing the wind; in an inlet or orifice; near a caravan or a group of people.

Briefly, it is makruuh to urinate or relieve oneself in such places where people generally rest or come and go, and where people will become offended and inconvenienced, or from where the najaasah may cause problems.

Things with which istinjaa is incorrect

Istinjaa is incorrect if done with: bones, edible things, dung, any najis thing, clay clods or stones which had already been used for istinjaa; baked bricks, earthenware pieces, glass, charcoal, coal, lime, mortar, iron, etc. Liquids which cannot remove najaasah like vinegar etc. cannot be used for istinjaa. Things which animals eat like grass, herbs etc.; things of value, be it of little value or expensive, like cloth, juice etc.; parts of a person's body like hair, bones, flesh etc.; a mat of a masjid or its broom or sweepings; leaves of trees; paper (clean or written on); zamzam water; cotton wool, and all such things from which man or animal benefit, are all makruuh to use for istinjaa.

Things which are permissible to use for istinjaa

Istinjaa will be correct if done with: water; clay clods; stone; cloth of no value; and all taahir things which remove impurities, as long as those things are not possessions of value and of a sacred nature.

KITAABUS SALAAH

Salaah

The rank and honour for salaah (prayers) by Allaah is very great. No 'ibaadah (devotion) is more beloved to Allaah than salaah. Allaah Most High has made the five daily salaah compulsory on His bondsmen. There is great reward for diligently fulfilling it and it is a great sin to neglect it. The hadiith states that one who does wuduu properly and does salaah with complete devotion, sincerity and presence of mind, Allaah Ta'aalaa will on the day of qiyaamah (Day of Judgement) forgive all minor sins.

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, has said, "Salaah is the foundation pillar of the diin (religion). Whosoever upholds it diligently has established the diin. Whosoever demolishes this pillar (does not do salaah), has destroyed the diin."

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, has said, "On the day of qiyaamah, the first question will be regarding salaah. The hands, feet and face of the upholders of salaah will shine like the sun." Fathers and mothers have been commanded that when children reach the age of seven years, they should direct them to upkeep salaah, and when they reach the age of ten, they should be beaten if they do not perform salaah. At no time is it permissible to neglect the salaah.

Times of salaah

1. In the last part of the night before daybreak a horizontal whitish light is seen on the eastern horizon where the sun rises. (If this light spreads upwards and disappears, it is a false dawn.) A little later another light appears (in the same place) and begins to spread sideways along the horizon. (This is the true dawn.) Immediately it begins to spread and in a little while the sky is filled with light. When the whitish glow spreading sideways is observed, the time for fajr salaah has begun and remains until the rising of the sun. When the tip of the sun rises above the horizon, fajr time ends.

2. When the sun moves just past midday, zuhr time commences. As the sun rises higher, the shadows of objects become shorter. When the

shadows are at their shortest, it is midday. When the shadows begin to lengthen, and the sun has moved past its middle point (meridian), the time for zuhr starts. Apart from the shadow of an obect at midday, if the shadow of that same object becomes twice as long as the object itself, the time for zuhr remains. By way of example, imagine that at midday the length of the shadow of an upright-standing 30cm (1 foot) long stick is four fingers. Until the shadow does not reach 60cm (2 feet) and four fingers, the time for zuhr time remains. When the shadow reaches 60cm and four fingers, the time for 'asr starts. The time of 'asr remains until sunset. But, when the colour of the sun changes (to reddish) it becomes makruuh to do 'asr salaah. However, if for some reason there was a delay, salaah must be done and not left as a qadaa. Care should be taken that this delay is not repeated. Apart from the 'asr fard salaah no other salaah is correct at this time, nor should qadaa or nafl salaah be done.

3. When the sun has set, maghrib time commences. It remains for as long as the western horizon remains reddish. The maghrib salaah must not be delayed so that the stars become easily visible. It is makruuh to delay the maghrib salaah. When the reddish glow disappears, the time for 'e-shaa begins and remains till daybreak. After the middle of the night the performing of 'e-shaa becomes makruuh, with a lessening of reward. Therefore the 'e-shaa salaah must not be delayed. It is best to fulfil it in the first third portion of the night.

4. During summer one should not be hasty in performing zuhr. It is mustahab to do salaah when the time of severe heat has passed. During winter, it is mustahab to do zuhr at the earliest possible time.

5. It is preferable to delay the 'asr salaah, so that if anyone wishes to do nafl salaah, there will be ample time to do so. The performing of nafl salaah after 'asr is not permissible, whether it is summer or winter. The same rule applies for both seasons. The 'asr salaah should not be delayed until a reddishness appears in the sun and the colour of its glow changes. The immediate performing of maghrib salaah after the sun has set is mustahab.

6. One who awakens punctually and does tahajjud salaah during

the latter part of the night, and is confident of waking up, it is best for such a person to do witr salaah after the tahajjud salaah. However, if one is not certain of waking up for tahajjud, and there is the possibility of oversleeping, then witr should be done after 'e-shaa salaah before going to sleep.

7. On a cloudy day it is mustahab to do fajr, zuhr and maghrib slightly later, and 'asr a little earlier.

8. At the time of sunrise, at midday, and at sunset, it is makruuh and prohibited to do any salaah, even the sajdah tilaawah.

9. After having done fajr salaah it is makruuh to do any nafl salaah until the sun has risen somewhat. It is permissible to do qadaa salaah and the sajdah tilaawah before the sun has risen. After the tip of the sun has risen and until there is no brightness in the glow of the sun, qadaa salaah is not permissible. So also, it is makruuh to do any nafl salaah after having completed the 'asr fard salaah, but it is correct to do qadaa salaah and sajdah tilaawah. However, after the glow of the sun subsides on the horizon, these are not permissible.

10. If at the time of fajr, one fears the sun will rise, only fard salaah is done. Now, until the sun does not rise above the horizon (i.e. about fifteen minutes after sunrise) the (missed) sunnah of fajr should not be done.

11. When at dawn the time of fajr has begun, apart from two rak'ahs sunnah and the two rak'ahs fard salaah, no other nafl salaah is to be done. It is makruuh to do nafl at that time. However, qadaa salaah and sajdah tilaawah are permissible.

12. If while dong fajr salaah the sun rises, that salaah is not valid. After the brightness of the sun spreads, qadaa must be done. However, if, while doing the salaah of 'asr, the sun sets, this salaah is correct. There is no qadaa.

13. It is makruuh to sleep before having done the 'e-shaa salaah. One should first do the salaah and then sleep. However, if a person is ill, or is extremely tired due to travel, and has asked someone to wake one at the time of salaah, and the person has promised to do so, then it is permissible to sleep.

14. For males, it is mustahab to begin fajr salaah when it has become

quite light, and so much time is left, that one can do the two rak'ahs reciting forty to fifty aa-yaat (verses) properly. If for some reason the salaah has to be repeated, the same number of aa-yaat can again be recited properly (without haste) before the sun rises. For women, it is always mustahab to do fajr when it is still dark, this also applies to males during hajj at Muzdalifah.

15. The time for jumu'ah is the same as that of zuhr, except that according to all the 'ulamaa, it is sunnah to do jumu'ah when the time of zuhr begins.

16. The time for both 'eiid salaahs is after the sun has risen well into the sky, and lasts until before midday. By "the sun has risen well into the sky", is meant that the reddishness of the sun has gone and the sun appears so bright that one almost cannot see its rays, and it rises to the height of an arrow. The performing of both 'eiid salaahs early is mustahab, but the salaah of 'eiidul fitr should be delayed a little.

17. When the imaam ascends the mimbar for the khutbah of jumu'ah, the two 'eiids or hajj etc., during such times it is makruuh to do any salaah.

18. When the takbiir for the fard salaah is said, it is makruuh to do salaah at that time. If the sunnah of fajr salaah has not been done, and one is certain or has a strong presumption that one rak'ah with the jamaa'ah will be attained, then it is not makruuh to do the sunnahs of fajr. If one has already begun a sunnah mu-akkadah salaah before the takbiir is said, it should be completed (thereafter join the jamaa'ah).

19. Before the two 'eiid salaahs, whether one is at home or at the 'eiidgaah (or masjid), performing nafl salaah is makruuh. After both 'eiid salaahs, only the performing of nafl at the 'eiidgaah (musallaa) is makruuh.

A-dhaan

1. If a-dhaan (call to salaah) for any a-daa (current) salaah is called, the stipulated time for that salaah is necessary. If a-dhaan is called before the stipulated time for that salaah, it will not be correct. When the time for the salaah sets in, the a-dhaan will have to be repeated, whether it is for fajr or any other salaah.

2. It is compulsory that a-dhaan and iqaamah be said with its special wording in Arabic which has been handed down from Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam.

3. It is necessary that the mu-adh-dhin be a male. The a-dhaan of a female is not valid. If a female calls out the a-dhaan, it has to be repeated. If the salaah is done without repeating the a-dhaan, it will be as if no a-dhaan was called out.

4. The mu-adh-dhin must be a sane person of understanding. If a small child, an insane person or a drunk calls out the a-dhaan, it will not be acceptable.

5. The sunnah method of a-dhaan is that the mu-adh-dhin shall be free from both type of hadath (impurity), and shall stand on a high taahir place outside the masjid, facing the qiblah with the index fingers placed inside the ears, and raise the voice as much as is possible, (without straining the vocal cords), and call out:

اَللّٰهُ اَكْبَر، اَللّٰهُ اَكْبَر

اَللّٰهُ اَكْبَر، اَللّٰهُ اَكْبَر

اَشْهَدُ أَن لَّا إِلٰهَ إِلَّا الله

اَشهَدُ أَن لَّا إِلٰهَ إِلَّا الله

اَشْهَدُ أَنَّ مُحَمَّدَ رَّسُولُ الله

أَشْهَدُ أَنَّ مُحَمَّدَ رَّسُولُ الله

حَيَّ عَلَى الصَّلَاة

حَيَّ عَلَى الصَّلَاة

حَيَّ عَلَى الْفَلَاح

حَيَّ عَلَى الْفَلَاح

اَللّٰهُ اَكْبَر، اَللّٰهُ اَكْبَر

لَا إِلٰهَ إِلَّا اللهُ

Allaahu Akbar Allaahu Akbar,
Allaahu Akbar Allaahu Akbar,
Ash-hadu allaa ilaaha illallaah,
Ash-hadu allaa ilaaha illallaah,
Ash-hadu anna Muhammadar Rasuulullaah,
Ash-hadu anna Muhammadur Rasuulullaah,
Hayya 'alas-salaah,
Hayya 'alas- salaah,
Hayya 'alal falaah,
Hayya 'alal falaah,
Allaahu Akbar Allaahu Akbar,
Laa ilaaha il-lal-laah

Allaah is the Greatest, Allaah is the Greatest.
Allaah is the Greatest, Allaah is the Greatest.
I testify that none is worthy of worship besides Allaah.
I testify that none is worthy of worship besides Allaah.
I testify that Muhammad is the Messenger of Allaah.
I testify that Muhammad is the Messenger of Allaah. Come to prayer.
Come to prayer.
Come to success.
Come to success.
Allaah is the Greatest, Allaah is the Greatest.
None is worthy of worship besides Allaah.

While the mu-ad-dhin is calling out "Hayya 'alas- salaah ", the face should be turned towards the right, and while calling out "Hayya 'alal falaah", the face should be turned towards the left, without turning the body and feet away from the qiblah.

During fajr a-dhaan, after saying "Hayya 'alal falaah " "As-salaatu khayrum minan naum" (Salaah is better than sleep) should be called out twice.

The total number of words in a-dhaan are fifteen and in the fajr a-dhaan seventeen. The words of the a-dhaan shall not be called out in a singing tone. There should be a pause after every line recited.

6. The words of the iqaamah are the same as that of a-dhaan, except that a-dhaan is called out outside the masjid while iqaamah is said inside it. The a-dhaan is called out in a raised voice while iqaamah is said in a lower voice. In iqaamah "As-salaatu khayrum minan naum" is not said, but instead in all five salaah "Qad qaamatis- salaah" (Salaah has begun) is said twice. In iqaamah the fingers are not placed in the ears, nor must the face be turned left and right while saying "Hayya 'alas- salaah " and "Hayya 'alal falaah."

A-dhaan and iqaamah

1. It is a sunnah mu-akkadah for males that a-dhaan be called for all fard 'ayn salaahs, whether musaafir (travelling) or muqiim (resident), with jamaa'ah (congregation) or individually, a-daa or qadaa. For jumu'ah salaah the a-dhaan should be said twice.

2. When a salaah has become qadaa for a reason which involved the general public, then its a-dhaan should be given publicly.

3. For a musaafir (traveller) whose companions are all present, a-dhaan is mustahab and not sunnah mu-akkadah.

4. The person doing salaah in his house alone or with jamaa'ah, for such a salaah both the a-dhaan and iqaamah are mustahab, on condition that the a-dhaan and iqaamah were already given in the masjid of the locality, because the a-dhaan and iqaamah of the local masjid suffices for all the people of the locality.

5. If in a masjid wherein the salaah has already been done with a-dhaan and iqaamah, the saying of both the a-dhaan and iqaamah is makruuh (by a latecomer) if salaah is done in it. But if the masjid has no appointed imaam and mu-adh-dhin, it is not makruuh, but it is preferable to repeat it.

6. When a person performs zuhr at such a place where all the conditions for jumu'ah are prevalent, it is makruuh to call out a-dhaan and say the iqaamah (for the zuhr salaah).

7. It is makruuh for ladies to recite the a-dhaan and iqaamah, whether they do salaah individually or with jamaa'ah.

8. Apart from the fard 'ayn salaah, a-dhaan and iqaamah are not sunnah for any other salaah, whether it is for a fard kifaayah salaah, like janaazah salaah, or for a waajib salaah of witr, two 'eiids, or for nafl salaahs.

9. When anyone hears the a-dhaan, male or female, be they taahir (paak, clean) or unclean, it is mustahab for him or her to reply to the a-dhaan by repeating the same words that the mu-adh-dhin says, but, when the mu-adh-dhin calls out "Hayya 'alas-salaah" and "Hayya 'alal falaah", one should say, "Laa haula walaa quwwata illaa billaah" During the fajr a-dhaan when the mu-adh-dhin says, "As-salaatu khayrum minan naum", he or she should reply, "Sadaqta wa bararta."

After the completion of a-dhaan one should recite salawaat (duruud) and then recite this du'aa:

اَللّٰهُمَّ رَبَّ هٰذِهِ الدَّعْوَةِ التَّامَّةِ وَالصَّلَاةِ الْقَائِمَةِ آتِ مُحَمَّدَنِ الْوَسِيلَةَ وَالْفَضِيلَةَ وَالدَّرَجَةَ الرَّفِيعَةَ ، وَابْعَثْهُ مَقَامًا مَّحْمُودَنِ الَّذِي وَعَدْتَّهُ ، إِنَّكَ لَا تُخْلِفُ الْمِيعَادَ

Al-laa-hum-ma rab-ba haa-dhi-hid da'-wa-tit taam-ma-ti was-sa-laa-til qaa-i-ma-ti, aa-ti Mu-ham-ma-da-nil wa-sii-la-ta wal-fa-dee-la-ta wad-da-ra-ja-tar ra-fee-'ah, wab-ath-hu ma-qaa-mam mah-mu-da-nil la-dhii wa-'ad-ta-hu, in-na-ka laa tukh-li-ful mee'aad.

O Allaah, Who is the Sustainer of this complete invitation and Guardian of the salaah that will be done after this call, give Muhammad the intercession and honour, and give him the maqaamal mahmuud that You have promised, for surely You do not dishonour Your promise.

10. When the first a-dhaan of jumu'ah is heard, it is waajib to abandon all work and business and to hasten towards the jaami' masjid, or where the jumu'ah is done. It is haraam to continue buying, selling or to be busy with any other work.

11. It is mustahab to reply to the iqaamah, and not waajib. In reply to "Qad qaamatis salaah", one should say "Aqaa-ma-hallaahu wa adaa-ma-haa."

12. There are eight instances when the a-dhaan should not be replied to:

a. While in salaah
b. While listening to a khutbah (whether it is of jumu'ah or any other khutbah)
c. Not necessary for a female in the state of hayd or nifaas
d. While teaching or learning
e. While having sexual intercourse
f. While urinating or relieving oneself
g. While eating

However, after a-dhaan, if one has finished any of the above, and not a long time has passed, one may reply to the a-dhaan.

The sunan and mustahabbaat of a-dhaan

1. There are two types of sunnahs for the a-dhaan and the iqaamah. Some of these pertain to the mu-adh-dhin and some refer to the a-dhaan and the iqaamah itself.

a. The mu-adh-dhin must be a male. The a-dhaan and iqaamah of a female is makruuh tahriimii.
b. He should be a person of understanding. A-dhaan by an insane, drunk, or immature child is makruuh and their a-dhaan has to be repeated, not the iqaamah.
c. A mu-adh-dhin should know the necessary masaa-il and the times of salaah. If an ignorant person calls out the a-dhaan, he will not receive the reward that a knowledgeable mu-adh-dhin attains.
d. A mu-adh-dhin should be an Allaah-fearing and religious minded person. He should also be aware of the state of the people and should admonish those not attending the jamaa'ah (congregation) if he knows they will not persecute him.

e. He should possess a loud voice, preferably melodious.

f. The a-dhaan should be called out from a high place outside the masjid, and the iqaamah inside the masjid. The saying of the second a-dhaan of jumu'ah in front of the mimbar is not makruuh. In fact this is the general practice of the Muslim world.

g. The a-dhaan should be called out while standing. If one calls out the a-dhaan while sitting, it is makruuh and will have to be repeated. If however a musaafir recites it while on horseback or a non-musaafir recites it for his own salaah only, then there is no need for repetition.

h. The a-dhaan must be called out in a loud voice. If it is only for one's own salaah, then one has a choice. There is a greater reward in calling out the a-dhaan loudly.

i. While calling out the a-dhaan it is mustahab to close the ear passages by placing the index fingers in them.

j. The words of a-dhaan should be called out, stopping after every sentence. It is sunnah to say the iqaamah hastily. During the a-dhaan, after every two takbiirs one should remain silent (pause) for a period wherein one listening to the a-dhaan can reply to it. Besides the takbiir, a pause should be made after every word for as long as it will take to repeat that word.

k. During a-dhaan at the time of reciting "Hayya 'alas-salaah" the face should be turned to the right without turning the feet away from the qiblah.

l. Both the a-dhaan and iqaamah must be called out facing the qiblah, otherwise it becomes makruuh tanziihii.

m. For a-dhaan the mu-adh-dhin should be free from hadath akbar (greater impurity). This is sunnah, but it is mustahab to be free from both hadath. During the iqaamah it is sunnah to be free from both hadath. Saying the a-dhaan while being with hadath akbar is makruuh tahriimii. It is mustahab to repeat this a-dhaan. In the same manner, if anyone recited the iqaamah while in hadath akbar or

hadath as-ghar (minor impurity), it is makruuh tahriimii, but does not have to be repeated.

n. It is sunnah to call out the a-dhaan and say the iqaamah in its proper sequence.

o. During a-dhaan and iqaamah no other words should be spoken, even though it may be salaam, or a reply to the salaam.

2. If one forgot to reply to the a-dhaan but realised this afterwards, then, if only a short time has elapsed, a reply may still be given.

3. If after saying the iqaamah a long period has elapsed and the jamaa'ah has not commenced, the iqaamah should be repeated. If only a short time has lapsed, it will not be necessary to repeat the iqaamah. If the iqaamah has been said and the imaam had not yet done the sunan (of fajr), and he then began to do the sunan, this will not be regarded as a long period and the iqaamah will not have to be repeated.

4. Should the mu-adh-dhin die while calling the a-dhaan, fall unconscious, or lose his voice; or forgets with no-one near him to help, or hadath akbar befalls him and he goes to remove the hadath, then in all these cases it is sunnah mu-akkadah to start the a-dhaan all over again.

5. If hadath asghar befalls one during a-dhaan or iqaamah, it is best that he first completes the a-dhaan and iqaamah, and then goes to remove the hadath asghar.

6. It is makruuh for a mu-adh-dhin to call the a-dhaan in two different masjids. He should call the a-dhaan in the masjid where he does the fard salaah.

7. The person who calls the a-dhaan has the right to say the iqaamah. If, however, he calls the a-dhaan and goes away, or gives permission to someone else to call it, then another person may say the iqaamah.

8. It is permissible for several mu-adh-dhins to call the a-dhaan at the same time.

9. The mu-adh-dhin should complete the iqaamah in the same spot where he commenced it.

The niyyah for a-dhaan and iqaamah is not a shart (compulsory prerequisite). However, reward is not attained without niyyah. The niyyah is where one says in one's heart that: "I intend to call out the a-dhaan solely for the pleasure of Allaah and attaining reward". There should be no other aim.

The shuruut (compulsory requirements) of salaah (prayers)

1. Before doing salaah, several things are waajib. If one does not have wuduu, wuduu should be done. If there is need for ghusl, this should be done. If there is any najaasah on the body or clothes, these should be made taahir (paak, clean). The spot on which salaah is to be done must also be taahir. Besides the face, both hands up to the wrists, and both feet up to the ankles, the whole body of a female from head to toe should be properly covered. Stand facing the qiblah. Make niyyah in the heart, i.e., make an intention that salaah will be done. Salaah should be done after the time for it has begun. All these are the shuruut (compulsory prerequisite) of salaah. If any one of these is not in order, salaah will be incorrect.

2. It is not correct for a woman to do salaah in thin, transparent clothing or head covering.

3. If during salaah a quarter of a woman's (or man's) calf or thigh, or a quarter of the arm become exposed, and remains exposed for as long as it takes to recite thrice "Subhaanallaah", the salaah becomes baatil (invalid) and one will have to repeat it. However, if on exposure, one immediately covers it, salaah will be correct. The portion of a limb that is waajib to cover, if a quarter of that limb becomes exposed, salaah will not be valid.

4. If during salaah the head cover of a girl who has not yet reached the age of puberty, falls off and her head becomes exposed, the salaah is valid.

5. If najaasah has soiled the clothing or body, and water cannot be found anywhere (to remove the najaasah), do salaah in this state with the najaasah.

6. When a person has absolutely no clothing, salaah should be done naked, but it should be in such a place where one cannot be seen. Salaah

should not be done in a standing posture, but while sitting down, and the rukuu' and sajdah should be done with i-shaarah (signs).

7. While travelling a person has little water. If najaasah is washed, nothing will be left for wuduu. If wuduu is done, no water will remain to remove the najaasah. In this case the water should be used to remove the najaasah, and for wuduu, do tayammum.

8. Zuhr salaah was done. But, after doing the salaah, it was discovered that when the salaah was done, the time of zuhr had finished and 'asr had already started. Now it will not be necessary to do qadaa, because that salaah will be the qadaa of zuhr.

9. If, however, the salaah was done before its prescribed time, it is null and void (and must be repeated in its time).

10. It is not necessary to express the niyyah for salaah with the tongue (audibly). If it is intended in the mind that today's fard salaah of zuhr will be done, or if performing the sunnah, to intend to do the sunnah for zuhr, then say "Allaahu Akbar" and fold the arms. This completes the salaah and makes it valid. Long and extensive niyyahs are not necessary.

11. When a person wishes to express the niyyah in words, it is sufficient to say: "I intend to do the fard of today's zuhr salaah, Allaahu Akbar." or say: "I intend to do the sunnahs of zuhr, Allaahu Akbar."

12. If in the heart it is thought that I am performing zuhr salaah, but erroneously instead of zuhr, 'asr was said, the salaah will be correct.

13. If, by mistake, instead of saying four rak'ahs, a person mentioned six or three rak'ahs (while only four rak'ahs are intended) the salaah will be correct.

14. If many salaahs become qadaa, and one intends doing qadaa, then a time should be fixed and niyyah made. Niyyah must be made thus: "I am performing the qadaa fard of fajr salaah." If qadaa of zuhr is to be made then say the niyyah thus: "I am performing the qadaa fard of zuhr salaah." If niyyah is only made that I am performing qadaa salaah, and a specific niyyah is not made for the relevant time, the qadaa will not be correct, and will have to be repeated.

15. If the salaahs of many days become qadaa, it will be necessary

to first fix the day and date of the salaah, e.g., If the salaah of Saturday, Sunday, Monday and Tuesday, i.e. four days had lapsed, it will now not suffice merely to say: "I intend performing fajr salaah." Niyyah should be made thus, "I am performing the qadaa of Saturday's fajr salaah." Then at the time of doing zuhr, niyyah should be made in the same manner. If the salaahs of many months, or many years have become qadaa, then the month and year must also be mentioned saying: "I am performing qadaa salaah of such year, month, date and day." Without saying such a niyyah the qadaa salaah will be incorrect.

16. If a person does not remember the specific date, month or year, then niyyah should be said like this: "Whatever amount of fajr qadaa salaahs that I am responsible for, I am doing qadaa of the first one of them." or "Whatever amount of zuhr salaahs which is my duty to do qadaa of, I hereby perform the first of those which had become qadaa." Make niyyah in this manner completing all the qadaa. When one's heart is satisfied that all the qadaa salaahs had been done, one should stop.

17. In sunnah or nafl salaah, only niyyah to do salaah is made. If no niyyah of it being sunnah or nafl is made, then this salaah will be correct. As a precaution it is preferable to say the niyyah for taraawiih salaah.

18. If a sheet is so big, and the najis section of it does not move about while a person does salaah on it, then there is no harm in doing salaah on such a sheet. If some such najis is on the body of the one doing salaah, which is in the place of its exit, and there is no sign of it on the outside then there is no harm, because the najis is in the same place where it is formed and there is no outward trace of it.

19. The place upon which salaah is done should be free from najaasah haqiiqah (actual impurity). Yes, if the najaasah is of an amount which is overlooked, it does not matter. By the term the place upon which salaah is done, is meant the place whereupon the feet touches the ground, and in the same manner where, during sajdah, the knees, hands, palms and the forehead touches the ground.

20. If only the area of one of the feet is taahir and the other foot is kept lifted up, it will suffice (salaah will be correct).

21. When salaah is done on a piece of cloth, then only that much is

necessary to be taahir (upon which salaah is done). It is not compulsory that the whole cloth be taahir, whether the cloth is large or small.

22. If a taahir cloth is spread on a najis place and salaah is done thereon, then the cloth should not be so thin that the najaasah under it is visible.

23. If during salaah the musallii's clothing touches a najis portion, there is no harm.

24. If one cannot wear clothes, because of someone's action, then when clothing is restored, the salaah must be repeated. e.g., A person is in jail, and the wardens (for some reason or other) remove all his clothes. However, if the cause of not having clothing is not due to people, there is no need to repeat the salaah, as in the case of one who does not possess any clothing.

25. A person has only one cloth. It can be used either for covering the body or to do salaah on. The person should cover the body and do salaah on a najis surface if no taahir place is available.

Becoming baaligh

1. When a boy reaches the age of 15/16 (according to Islaamic lunar years) or his moustache has grown, or he has a wet dream, he has reached the age of puberty and becomes baaligh.

2. When a girl has her first menstrual flow or becomes pregnant, or she reaches a full fifteen (Islaamic lunar) years, then she is considered baalighah. Salaah, saum and all the commandments of the sharii'ah become compulsory.

3. To reach the age of puberty means becoming baaligh according to sharii'ah. No female can become baalighah before the age of nine years. Even if blood flows from her, it is not hayd but istihaadah.

Facing the qiblah

1. When a person in unable to ascertain the direction of the qiblah, and nobody else knows it, then let the heart decide. Whichever direction the heart indicates, that direction should be faced. If salaah is done without having applied one's reason, the salaah will not be valid, even if afterwards it is discovered that the direction was correct. If a knowledgeable person was present, but if a woman being in purdah or

due to shyness did not ask and performed the salaah, the salaah will be incorrect.

2. If nobody is found who could be asked the direction of the qiblah, and on the testimony of the heart salaah was done, while it was discovered that the direction of the qiblah was incorrect, the salaah will be correct.

3. If a person performs salaah in the wrong direction, and while in that salaah it becomes known that the qiblah is not in that but another direction, then while in salaah he should turn towards the qiblah. If one does not turn towards the qiblah, the salaah is incorrect.

4. The person doing salaah inside the Ka'bah may face any direction to do salaah.

5. Both fard and nafl salaah are permissible inside the Ka'bah.

6. Where the qiblah is not known and salaah is done with jamaa'ah, then both the imaam and every member of the jamaa'ah must act upon the evidence of their hearts. If some muqtadii's (person doing salaah behind an imaam) conviction is strongly against that of the imaam, then such a person's salaah behind that imaam is not valid, because according to him the imaam has erred. It is not permissible to follow one who is considered to have erred.

How to perform fard salaah

1. Make the niyyah and say, "Allaahu Akbar". Lift both hands to the ears, then say "Allaahu Akbar", fold the hands with the right on top of the left, and place them against the abdomen below the navel. Then recite this du'aa:

سُبْحَانَكَ اللّٰهُمَّ وَبِحَمْدِكَ وَتَبَارَكَ اسْمُكَ وَتَعَالٰى جَدُّكَ وَلَا إِلٰهَ غَيْرُكَ

Subhaa-na-kal-laa-hum-ma wa-bi-ham-di-ka wa-ta-baa-ra-kas-mu-ka wa-ta 'aa-laa jad-du-ka wa-laa i-laa-ha ghay-ru-ka.

O Allaah, with Your glorification and Your praise; blessed is Your name, great is Your glory, and there is no deity except You.

Then say:

أَعُوذُ بِاللهِ مِنَ الشَّيْطَانِ الرَّجِيمِ ، بِسْمِ اللهِ الرَّحْمٰنِ الرَّحِيمِ

A'u-dhu bil-laa-hi mi-nash shay-taa-nir-ra-jiim. Bis-mil-laa-hir rah-maa-nir rahiim.

I seek refuge in Allaah from the wicked accursed devil. In the name of Allaah, the All Merciful, the Most Merciful.

And recite the complete Suurah Faatihah. After "Walad daulliin" say "Aa-miin."

Thereafter recite "Bismillaahir rahmaanir rahiim" and a suurah (of the Qur-aan). Then say "Allaahu Akbar" and go into rukuu.' Say while in the rukuu' three, five or seven times:

سُبْحَانَ رَبِّيَ الْعَظِيمُ

Sub-haa-na rab-bi-yal 'a-ziim.

Glory be to my Rabb, the Most Elevated.

In rukuu' hold the knee caps firmly with the palms while spreading the fingers. Keep the elbows away from the thighs. Keep the feet slightly apart. Then say:

سَمِعَ اللهُ لِمَنْ حَمِدَهُ ، رَبَّنَا لَكَ الْحَمْدُ

Sa-mi'al-laa-hu li-man ha-mi-dah. Rab-ba-naa la-kal hamd.

Allaah has heard the one who has praised Him. Our Rabb! Praise be to You.

come back into standing position with hands at the sides.

Stand up straight for a few seconds. Say "Allaahu Akbar" and go into sajdah (prostration). While going down, say "Allaahu Akbar." First place the knees on the ground, then the hands and lastly the

forehead and nose. The hands should be placed in line with the ears with fingers and toes pointing to the qiblah. In the sajdah recite at least thrice:

سُبْحَانَ رَبِّيَ الْأَعْلٰى

Sub-haa-na rab-bi-yal aa'laa

Glory be to Allaah, Most High.

Then say "Allaahu Akbar", come up and sit. Once again say, "Allaahu Akbar", and do a second sajdah. In this sajdah too recite at least thrice:

سُبْحَانَ رَبِّيَ الْأَعْلٰى

Sub-haa-na rab-bi-yal aa'-laa.

Glory be to Allaah, Most High.

This is one rak'ah.

Then say: "Allaahu Akbar" come up into the standing position. Say "Bismillahir-rahmaa-nirrahiim", recite Suurah Faatihah and another suurah and continue as before to complete the second rak'ah.

When the second sajdah has been done, instead of coming into a standing position, sit down, and sit on the left foot. The right foot stands on its toes. The soles should face backwards (with toes pointing towards the qiblah). Place the hands on the thighs near the knees, with fingers together (not spread out) pointing towards the qiblah. Then recite:

اَلتَّحِيَّاتُ لِلّٰهِ وَالصَّلَوَاتُ وَالطَّيِّبَاتُ ، اَلسَّلَامُ عَلَيْكَ أَيُّهَا النَّبِيُّ وَرَحْمَةُ اللّٰهِ وَبَرَكَاتُهُ ، اَلسَّلَامُ عَلَيْنَا وَعَلٰى عِبَادِ اللّٰهِ الصَّالِحِينَ ، اَشْهَدُ أَنْ لَّا اِلٰهَ إِلَّا اللّٰهُ وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ

At-tahi-yaa-tu lil-laa-hi. Was-sa-la-waa-tu wat-tay-yi-baa-tu As-sa-laa-mu 'a-lay-ka ay-yu-han na-biy-yu wa-rah-ma-tul-laa-hi wa-ba-ra-kaa-tuh. As-sa-laa-mu 'a-lay-naa wa 'a-laa 'i-baa-dil-laa-his saa-li-hiin. Ash-ha-du al-laa i-laa-ha il-lal-laa-hu wa ash-ha-du an-na Mu-ham-ma-dan 'ab-du-hu wa-ra-suu-luh.

All adorations of the tongue are for Allaah; also all adorations of the body and wealth. Peace be upon you, O Nabii, and Allaah's mercy and His blessings! Peace be upon us and all righteous bondsmen of Allaah! I bear witness that there is no deity save Allaah; and I bear witness that Muhammad is His bondsman and His Messenger.

When reaching the word "Laa ilaaha", the right index finger is lifted up and on saying "illallaah" the other fingers are fisted while the index finger, still pointed, is placed down against the right thumb. This posture of the right-hand fingers is maintained up to the end of the salaah (if only two rak'ahs). If four rak'ahs are done, nothing else is read. The musallii will immediately say, "Allaahu Akbar" and come into a standing position to do the other two rak'ahs. In fard salaah during the last two rak'ahs, no other suurah is added to Suurah Faatihah.

On completion of the fourth rak'ah, sit down and recite the "at-tahiyyaat" and then the "salawaat":

اَللّٰهُمَّ صَلِّ عَلٰى مُحَمَّدٍ وَّعَلٰى آلِ مُحَمَّدٍ كَمَا صَلَّيْتَ عَلٰى إِبْرَاهِيمَ وَعَلٰى
آلِ إِبْرَاهِيمَ إِنَّكَ حَمِيدٌ مَّجِيدٌ ، اَللّٰهُمَّ بَارِكْ عَلٰى مُحَمَّدٍ وَّعَلٰى آلِ مُحَمَّدٍ
كَمَا بَارَكْتَ عَلٰى إِبْرَاهِيمَ وَعَلٰى آلِ إِبْرَاهِيمَ إِنَّكَ حَمِيدٌ مَّجِيدٌ.

Al-laa-hum-ma sal-lii 'a-laa Mu-ham-ma-diw wa-'a-laa aa-li Mu-ham-ma-din, ka-maa sal-lay-ta 'a-laa Eb-raa-hii-ma wa-'a-laa aa-li Eb-raa-hii-ma in-na-ka ha-mii-dum ma-jiid.

Al-laa-hum-ma baa-rik 'a-laa Mu-ham-ma-diw wa'a-laa aa-li Mu-ham-ma-din ka-maa baa-rak-ta 'a-laa Eb-raa-hii-ma wa-'a-laa aa-li Eb-raa-hii-ma in-na-ka ha-mii-dum ma-jiid.

Allaah! Shower Your mercy upon Muhammad and the followers of Muhammad, as You showered Your mercy upon Ebraahiim and the followers of Ebraahiim! Behold, You are Praiseworthy, Glorious! O Allaah! Shower Your blessings upon Muhammad and the followers of Muhammad, as You showered Your blessings upon Ebraahiim and the followers of Ebraahiim! Behold, You are Praiseworthy, Glorious.

Then say this du'aa:

رَبَّنَا آتِنَا فِي الدُّنْيَا حَسَنَةً وَّفِي الْآخِرَةِ حَسَنَةً وَّقِنَا عَذَابَ النَّارِ ، اَللّٰهُمَّ اغْفِرْ لِي وَلِوَالِدَيَّ وَلِجَمِيعِ الْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ وَالْمُسْلِمِينَ وَالْمُسْلِمَاتِ ، اَلْأَحْيَاءِ مِنْهُمْ وَالْأَمْوَاتِ

Rab-ba-naa aa-ti-naa fid-dun-yaa ha-sa-na-taw wa-fil aa-khi-ra-ti ha-sa-na-taw wa qi-naa 'a-dhaa-ban-naar. Al-laa-hum-magh-fir lee wa li-waa-li-day-ya wa-li-ja-mii'il mu-mi-nii-na wal-mu-mi-naat, wal mus-li-mii-na wal mus-li-maa-ti, al-ah-yaa-i min-hum wal-am-waat.

Allaah! grant us good in this world and good in the hereafter and save us from the punishment of the fire. O Allaah forgive me and my parents and all the male and female Mu-mins, and the male and female Muslims, those that are alive and those that have died.

Apart from this, any other du'aa of those du'aas mentioned in the Qur-aan or hadiith may be recited.

Then while saying:

السَّلَامُ عَلَيْكُمْ وَرَحْمَةُ اللهِ

As-sa-laa-mu ‘a-lay-kum wa rah-ma-tul-laah.

Peace be upon you and the mercy of Allaah,

turn the face to the right and saying the same turn the face to the left. Both the imaam and the followers in reciting these greetings should make the niyyah of greeting the malaa-ikah (angels).

This is the manner of doing salaah. If any of the fard things therein are left out purposely or by accident, the salaah becomes baatil (invalid), and will have to be repeated. Some aspects are waajib. If any of them are purposely left out, the salaah is useless and not valid. Such a salaah will have to repeated. If after such a lapse, the salaah is not repeated, it will mean that the responsibility will have been discharged, but it will have been a very sinful act. If the lapse is due to having forgotten, then by doing sajdah sahw, the salaah will be valid. In the salaah there are also some things which are sunnah and some mustahab.

2. The six faraa-id (compulsory acts) of salaah

1. Saying “Allaahu Akbar” when folding the hands.
2. To be in a standing posture.
3. To recite a suurah or aayah of the Qur-aan.
4. To do rukuu’.
5. To do both sajdahs.
6. To sit in the last rak‘ah the time it takes to recite at-tahiyyaat.

3. The waajibaat of salaah

1. Recite Suurah Faatihah (Al-hamdu).
2. Add a suurah to the faatihah.
3. Do every fard at its appropriate time. Racite faatihah in a standing posture and add a suurah.
4. Do rukuu’.
6. Do sajdah.

7. Sit in the second rak'ah.
8. Recite at-tahiyyaat in the sittings (both).
9. Recite the qunuut in witr salaah.
10. Do salaam saying "As-sallaamu 'alaykum warahmatullaah."
11. Do every act with tranquility.
12. Do not do any act with haste.

2. Apart from the above, all other things in salaah are either sunnah or mustahab.

3. If anyone does not recite Suurah Faatihah in salaah, or recites another aa-yah or another complete suurah, or only recited Suurah Faatihah without adding another suurah, or aa-yah; or does not sit after completing two rak'ahs, or without sitting or reciting at-tahiyyaat, stands up for the third rak'ah; or sits down and does not recite at-tahiyyaat, then in all these cases the fard is considered to have been done, but the salaah will be useless and incomplete. It will be waajib to repeat it. If the salaah is not repeated it will be a great sin.

4. If at the time of making the salaam at the end of the salaah, a person did not say "Assalaamu 'alaykum warahmatullaah" but instead began talking to someone, or got up and walked away, or did anything which normally breaks salaah, the fard of salaah is considered attained, but must be repeated. If the salaah is not repeated, one will be comitting a great sin.

5. If a person first recited a suurah and thereafter Suurah Faatihah, the salaah must also be repeated. If this was done forgetfully, sajdah sahw should be made.

6. After Suurah Faatihah at least three aa-yaat (verses) should be recited. If however only one or two aayaat are recited which is so long that it equals three short verses, salaah will be correct.

7. When coming up from the rukuu' "Sami'allahu liman hamidah" is not recited; or in rukuu' "Subhaana rabbiyal aziim" is not recited; or in sajdah "Subhaana rabbiyal aa'laa" is not recited; or the salawaat is not recited after at-tahiyyaat, salaah will be correct but contrary to the sunnah. In the same manner if a du'aa is not recited after salawaat, and salaam is made after the salawaat, the salaah will be correct but contrary to the sunnah.

8. It is sunnah to lift up the hands when commencing and making niyyah for the salaah. If this is not done, salaah is correct but contrary to sunnah.

9. Recite "Bismillaa-hirrah-maa-nirrahiim" before the Suurah Faatihah in every rak'ah.

10. If in sajdah both the forehead and the nose are not placed on the ground, or only the forehead is placed and not the nose, salaah will be correct. However, if only the nose is put on the ground and not the forehead, salaah will be baatil (invalid). If this is done because of some unavoidable and valid reason, salaah will be correct.

11. If after rukuu' one does not stand up straight, but merely lifts up the head a little and goes into sajdah, salaah will have to be repeated.

12. If one does not sit up properly in between the two sajdas, but only lifts up the head slightly and performs the second sajdah, the salaah will not be valid. If the head was lifted so much, which is near to sitting, the salaah is considered to have been done but it is deficient and incomplete. Hence it must be repeated, otherwise one will be committing a great sin.

13. When a person does sajdah on straw or cotton wool etc. (i.e., a soft surface) the head must be pressed down firmly. It must be pressed so firmly that more pressure cannot be applied. If sajdah is only made lightly on the surface, sajdah will not have been made.

14. If in the last two rak'ahs of a fard salaah a suurah is also recited after the Suurah Faatihah, there is no harm and the salaah is correct.

15. If in the last two rak'ahs of fard salaah, Suurah Faatihah is not recited, but "Subhaanallaah" is said three times, salaah will be correct. It is much better to read the Suurah Faatihah. If nothing is recited and one stands silently, then too salaah will be correct.

16. It is waajib to recite another suurah with Suurah Faatihah in the first two rak'ahs. If one did not recite the other suurah (or aa-yaat) in the first two rak'ahs, one will have to do so in the last two rak'ahs. If knowingly and intentionally the suurah is left out so that it may be recited in the last two rak'ahs, one will have to repeat the salaah. If it was done after having forgotten, sajdah sahw should be made.

17. In the s̲alaah a person should recite the Faatih̲ah, the suurah and everything else softly, but it should be such that the words are audible to oneself, otherwise s̲alaah will not be proper.

18. No suurah should be fixed for any s̲alaah. Whatever the heart desires should be recited. The fixing of any suurah is makruuh.

19. In the second rak'ah a longer suurah should not be recited than the one recited in the first rak'ah.

20. If while doing s̲alaah the wud̲uu breaks, perform wud̲uu and repeat the s̲alaah.

21. It is mustah̲ab while standing in s̲alaah to cast the eyes on the spot where sajdah is made. During rukuu' the eyes should fall on the feet and in sajdah it should fall on the nose. When saying the salaam, the eyes should be directed at the shoulders. When one yawns in s̲alaah, one should force the mouth to close and if that is not possible, the mouth should be covered with the back of the hand. When the throat itches, as far as possible try to avoid coughing.

22. The s̲alaah of women is the same as for men except for the following differences:

1. At the time of the opening takbiir, men lift their hands (out of their cloaks) up to the ears. Women should, without taking their hands out of their cloaks or chaadars, lift them up to the shoulders.
2. Men fold their hands under the navel while women place them against their breasts.
3. Men, while standing, should form a circle with the tips of the baby finger and the thumb around the left wrist, while the other fingers are stretched around the wrist. Women only place the palm of the right hand upon the back of the left hand with no encircling grip.
4. Men should do rukuu' properly, in the manner that the head, back and buttocks are level. Women will only bend so that the palms reach (touch) the knees.
5. While in rukuu' men keep their fingers apart, women keep them together.
6. In the sajdah men keep their thighs away from their

stomachs and the upper arm away from their sides. Women keep them tightly together.

7. In the sajdah men keep their elbows off the ground and women keep them on the ground.
8. In sajdah the feet of men stand upright on the toes and women do not.
9. While sitting the men sit on their left foot while the right foot stands upright on its toes. Women sit on their left buttock with both legs stretched to the right.
10. At no time should women recite anything in the salaah loudly. Everything, including recitation of the Qur-aan, is done softly.
11. Men stand with feet at least four finger space apart. Women stand with feet together, ankles touching.

Qur-aanic recitation in salaah

1. It is waajib to recite the Qur-aan correctly in salaah with every letter properly pronounced. There should be a definite difference between (ء) hamzah and (ع) 'ayn. (ه) haa and (ح) haa, dhal (ذ) or (ث) thaa and (ض) daud and also between (س) siin, (ص) saud and (ث) thaa. Another letter must not be pronounced in place of one letter.

2. When one is unable to pronounce any letter properly e.g., instead of (ح) haa one pronounces (ه) háa, or is unable to pronounce (ع) 'ayn, (ث) thaa, or (س) siin, and (ص) saad and are all pronounced as (س) siin, then it is necessary to practise intensely to get the correct pronounciation, otherwise one will be a sinner and no salaah will be correct. If after practising and training it still does not sound right, one will be excused.

3. When one is able to correctly pronounce the (ح) haa, (ع) 'ayn etc., but reads carelessly, reciting a (ه) haa in place of a (ح) haa, and for a (ع) 'ayn reads a (ء) hamzah, if care is not taken while reciting, one will be sinning and salaah will be incorrect.

4. If a suurah that was recited in the first rak'ah, is repeated in the second rak'ah (with the Suurah Faatihah) it will be correct, but it is better not to do so.

5. The sequence in which the Qur-aan is written, must be followed during recital in salaah.

6. When having commenced one suurah, it will be makruuh to stop without completing the suurah and to begin another suurah.

7. A person who does not know how to do salaah, or one who has recently accepted Islaam, should recite "Subhaanallaah" etc. in salaah. The fard will be attained. However, the method of performing salaah should be learned, otherwise one will be sinning.

Salaah with jamaa'ah (congregation)

1. It is waajib or sunnah mu-akkadah to do salaah with jamaa'ah. A minimum of two performing salaah together is called a jamaa'ah. One leads and the others follow. The one who leads is the imaam and the one who follows is a muqtadii.

2. Besides the imaam, if one person joins in the salaah, it will be a jamaa'ah, whether the follower is male or female, slave or free person, baaligh (mature) or a non baaligh (immature). However, for the salaah of jumu'ah and the two 'eiid salaahs, there will be no jamaa'ah if besides the imaam there are less then three muqtadiis.

The virtues and importance of jamaa'ah

The importance and virtues of salaah with jamaa'ah has been emphasised in many sahiih ahaadiith. One of the most important prerequites for the perfection of salaah is its being done with jamaa'ah (congregation). Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, never performed salaah without jamaa'ah. In fact, even during his days of extreme illness when he had no strength to walk, he entered the masjid hanging on the shoulders of two men and did salaah with the jamaa'ah. Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, expressed great anger at those who neglected salaah with jamaa'ah, and said it was his wish to mete severe punishment to them.

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, said: "It is better to do salaah with one (other) man than to do it alone. And with two people it is even better. The greater the jamaa'ah, the greater it is loved by Allaah."

Once at 'e-shaa time Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, said to those who were performing salaah with jamaa'ah, "People are performing salaah and falling asleep and whatever time is spent in waiting for salaah is counted as having been spent in salaah." Sayyidinaa Buraydah Aslamii, radiyallaahu 'anhu reports that Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam said: "Give glad tidings to those who in the darkness of night proceed to the masjid for their jamaa'ah salaah, for them there shall be a great (full) light on the day of qiyaamah."

Sayyidinaa Abuu Hurayrah, radiyallaahu 'anhu reports that Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam once said: "I wanted to order someone to gather wood, another to call out a-dhaan, and to command someone to lead the salaah, and then proceed to the houses of those who do not attend the jamaa'ah salaah (congregational prayers) and burn their houses."

Sayyidinaa 'Abdullaah bin 'Abbaas, radiyallaahu 'anhumaa reports, "Whosoever having heard the a-dhaan and fails to attend the jamaa'ah (congregation) without any valid excuse, the salaah he does alone will not be accepted." The sahaabah inquired: "What excuse will be valid?" Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam replied: "Fear or illness."

It is indeed regrettable that in our times it has become a bad habit to neglect the jamaa'ah. As well as the ignorant, some educated, knowledegable people are also involved in this calamity. These people read the hadiith and fully understand their meanings. Yet in spite of the emphasis placed on the importance of jamaa'ah salaah, those hadiith have no effect on their hearts of stone.

The conditions making jamaa'ah waajib

Jamaa'ah becomes waajib under the following conditions:

1. Males. Jamaa'ah is not waajib on females.
2. Baaligh (mature). It is not waajib on non-baaligh children.
3. Freedom. It is not waajib on slaves.
4. Being free of all excuses. If any of the excuses are put

forward, jamaa'ah is not waajib. It is better to do salaah with jamaa'ah.

There are fourteen cases when it is permissible to avoid jamaa'ah

1. When one does not have sufficient clothing to cover the satr (private parts) of the body.

2. When the road to the masjid is so muddy that walking therein is difficult.

3. In times of heavy rain.

4. In cases of such extreme cold where if one goes out, it could cause illness or an increase in illness.

5. When by going to the masjid there is a possibility of theft of one's possessions.

6. When there is fear of confronting an enemy who may harm one.

7. When there is fear of meeting anyone to whom one owes a debt, and if one might suffer trouble from him, but only on condition that one is unable to settle the debt.

8. When the night is so dark that the way cannot be seen and one has no light, lamp, torch or lantern.

9. When at night a hurricane-force wind blows.

10. When one visits a sick person who would feel extremely lonely if one were to leave him to go to the jamaa'ah.

11. When meals are ready to be served at a time when one is extremely hungry so much so that if he should go to join the jamaa'ah, his mind will not be in salaah.

12. When there is a great need to relieve oneself.

13. When one is on the point of proceeding on a journey but one fears that by going to join the jamaa'ah one will be late, or that the group may leave without him. The same applies to train and air travel.

14. When one is so sick that one is unable to stand or walk, or one is blind, lame or a cripple. However, when one is blind but can still find one's way to the masjid without difficulty, one is not allowed to stay away from the jamaa'ah.

The conditions for the correctness of jamaa'ah

For the jamaa'ah to be correct the following are required:

1. Islaam. The jamaa'ah (congregation) of non-Muslims is not correct.

2. Intelligent - sensible. The jamaa'ah of drunk, unconscious and insane people is not correct.

3. The muqtadii's (person following the imaam) niyyah for salaah must include the iqtidaa (following) of the imaam. i.e., there must be a commitment to do a certain salaah behind this imaam.

4. Both the imaam and muqtadii should be in one place, e.g., they should be in the same masjid or in the same house (room).

5. If the muqtadii stands on the roof of the masjid and the imaam stands inside the masjid, the jamaa'ah is correct, because the roof of the masjid is considered part of the masjid. Both places are considered one. Similarly, if anyone's roof is attached to the roof of the masjid without any barrier inbetween, the place will be considered as one. If one stands on that roof to follow the imaam in the masjid, the salaah will be correct.

6. If between the two saffs (rows) of musaliis there runs a stream or road, it will not be correct to stand in the second saff.

7. The salaah of those on foot behind those on horseback or one on horseback behind another on horseback is not correct. This is because both are not in one place. If however both riders are seated on the same animal, it will be correct.

8. The salaah of the imaam and the muqtadii should not differ, otherwise the following of such an imaam will be incorrect. For example, if the imaam leads zuhr while the muqtadii intends doing 'asr, or if the imaam intends leading today's zuhr while the muqtadii does niyyah for yesterday's zuhr. However if the imaam is leading the fard and the muqtadii does niyyah for nafl, it will be correct, because the salaah of the imaam is stronger.

9. If the the muqtadii wants to do taraawiih and the imaam is leading a nafl salaah, then too the iqtidaa (following the imaam) will not be correct because the salaah of the imaam is a weaker one.

10. The s̲alaah of the imaam should be correct. If the s̲alaah of the imaam is faasid (invalid, nullified), the s̲alaah of all the muqtadiis will be faasid, whether this becomes known before or after the s̲alaah was done. For example, if the imaam was without wud̲uu and remembered during or after the s̲alaah that he was not in a state of wud̲uu.

11. If for some reason the s̲alaah of the imaam is invalid and the muqtadiis are unaware of it, it becomes incumbent on the imaam, as far as possible, to inform all the muqtadiis, so that they may be able to repeat their s̲alaah. The information may be given through a person or by letter, telephone etc.

12. The muqtadii should not stand ahead of the imaam. He should stand behind the imaam or at the most be in line with him. If one stands ahead of the imaam, his s̲alaah is invalid. A muqtadii is considered to be ahead of the imaam if his heel is in front of the imaam's heel.

13. The muqtadii should be aware of the movements of the imaam into rukuu', sajdah etc., whether it is by seeing the imaam or hearing the voice of the mukabbir, (the person loudly repeating the takbiir of the imaam), or by observing another muqtadii. If the muqtadii is unaware of the movements of the imaam due to some barrier or some reason (not hearing the takbiir, recitation etc.), the iqtidaa (following) will not be valid. If there is a curtain or wall etc., and the movements of the imaam are known, the iqtidaa is correct.

14. If there is no knowledge of whether the imaam is a musaafir (traveller) or muqiim (resident), but by presumption one thinks the imaam is a muqiim, on condition that it is in a town or village, and the imaam leads the s̲alaah like a musaafir, where, in a four rak'ah s̲alaah, salaam is made after two rak'ahs and the muqtadii believes that the imaam may have made an error, then it is waajib (incumbent) for this muqtadii after completing four rak'ahs to inquire whether the imaam made an error or whether he was a musaafir. If after inquiring it becomes known that the imaam is a musaafir his s̲alaah will be correct. If it becomes known that the imaam had erred, he must repeat the s̲alaah.

15. If one thinks the imaam might be a muqiim while leading the s̲alaah outside a town or village, and instead of four rak'ahs he completes two like a musaafir, and the muqtadii assumes that the

imaam may have made a mistake, then too the muqtadii should complete his four rak'ahs. Afterwards it is preferable to inquire about the imaam (whether he is a musaafir or muqiim).

16. The muqtadii should at all times follow the actions of the imaam except in the qiraa-ah (recitation of the Qur-aan), even though he is with (follows) the imaam, or is slightly ahead of him, or slightly behind, on condition that he is with the imaam till the end of that rukn (i.e. posture).

17. The muqtadii's place should be lower or on the same level as that of the imaam. For example:

1. The iqtidaa of one standing behind one (an imaam) who is unable to stand is correct. In sharii'ah the sitting of a ma'dhuur (excused) is in place of standing (in salaah).
2. Iqtidaa of one who had made tayammum, whether for wuduu or ghusl, is correct. In tahaarah the command for wuduu and ghusl are equal.
3. One who has done proper wuduu may do salaah behind one who has made mas-h on khuffs (leather socks) or on a plaster or bandage. Mas-h and washing hold the same degree in tahaarah. Mas-h on socks is not valid
4. A ma'dhuur's iqtidaa of a ma'dhuur is correct, on condition that both have the same excuse, e.g., both suffer from incontinence (uncontrollable flow of urine) or gas (breaking of wind).
5. Iqtidaa of an ummii (unlettered, one who did not learn to read and write) is correct on condition that there is no proper qaarii (correct Qur-aan reciter) among the muqtadiis.
6. Iqtidaa of a woman or a non-baaligh (who has not reached the age of puberty) behind a baaligh male is correct.
7. Iqtidaa of a woman behind a woman is correct.
8. Iqtidaa of a non-baaligh male or female behind a non-baaligh male is correct.
9. Iqtidaa of one doing nafl behind one who is doing a waajib salaah is correct, e.g., one who has already performed zuhr

again performs zuhr behind one leading zuhr. Iqtidaa of one doing nafl behind another leading nafl is correct.

10. One who takes a qasam (halaf, oath) to do salaah may make iqtidaa of one doing nafl salaah, because the salaah of one who has taken an oath is in itself a nafl e.g., a person takes qasam (oath) to do two rak'ahs, then performs two rak'ahs behind one performing nafl. The salaah will be correct and the qasam fulfilled.
11. The iqtidaa of one who has made a nadhr (vow) behind one who has (also) made a nadhr to do salaah is correct, on condition that the nadhr both have taken is for the same purpose. e.g., after a person makes a nadhr, another person says, "I will make a nadhr for the same purpose." If one has made nadhr and another has made nadhr for some other purpose, the iqtidaa of one behind another will not be correct. Briefly, when the muqtadii's nadhr is of a lower or same standard than that of the imaam, iqtidaa will be correct.

Those cases where the muqtadii's salaah is not acceptable behind an imaam because of salaah being of a higher or stronger calibre

1. Iqtidaa of a baaligh person (male or female) behind a non-baaligh is not correct.

2. Iqtidaa of a male, whether baaligh or non-baaligh, behind a woman is incorrect.

3. Iqtidaa (of females) of a woman who does not remember the days of her hayd (menstruation) is not correct. In both cases there is the possibility of the muqtadii being in a higher state than the imaam.

4. Iqtidaa of a person of sound mind behind an insane, not fully conscious, or a drunk is not correct.

5. A taahir person's iqtidaa of a ma'dhuur, like one who is affected by incontinence etc., is not correct.

6. A muqtadii who has one excuse cannot make iqtidaa of a person

who has two excuses. e.g., One has the illness of gas (passes wind frequently), and makes iqtidaa of such a person who has the illness of both gas and incontinence.

7. One who gives an excuse concerning one type of illness cannot make iqtidaa of a person who has another type of illness. e.g., one has gas problems and the other has a continuous nosebleed.

8. Iqtidaa of a qaarii behind an ummii (unlettered, who did not learn to read and write) is not correct. A qaarii is a person who has memorised enough of the Qur-aan which is sufficient to do salaah correctly. An ummii is one who has not learnt a sufficient amount of the Qur-aan.

9. An ummii's iqitidaa behind an ummii is correct if a qaarii is not present in the jamaa'ah. If a qaarii is present the ummii imaam's salaah is faasid (invalid, nullified). When the salaah of the imaam is faasid the salaah of the muqtadii's (followers) is also faasid, including the muqtadii who is an ummii (unlettered, did not learn to read and write).

10. Iqtidaa of an ummii behind a dumb person is not correct, because the ummii cannot actually recite, but is capable and can learn to recite. A dumb person does not possess the capability to recite.

11. Parts of a person's body that is fard to be concealed, is covered. One whose body is covered cannot make iqtidaa of a naked person.

12. One who is capable of doing rukuu' and sajdah cannot make iqtidaa of an imaam who is unable to do rukuu' and sajdah. Iqtidaa of one who is only able to do sajdah is also not correct.

13. One performing a fard cannot make iqtidaa of a person performing nafl salaah.

14. One performing salaah caused by a nadhr behind one performing nafl is incorrect. This is because salaah of a nadhr (vow) is waajib.

15. One performing salaah of nadhr cannot make iqtidaa of one performing salaah of qasam (oath). e.g., a person took qasam that he would perform four rak'ahs today, and one made a nadhr. If one who made nadhr makes iqtidaa of the one who took qasam, the salaah will not be valid, because the salaah of nadhr is waajib, and the one of

qasam nafl. To atone for qasam it is waajib to do a good deed. It may be possible to carry out a kaffaarah and not perform salaah.

16. The iqtidaa of one who recites clearly and pronounces correctly is not correct behind a person who is unable to pronounce the letters of the Qur-aan clearly and reads one letter in place of another. If during recital only one or two letters are pronounced incorrectly, iqtidaa will be correct.

17. Iqtidaa of an imaam, for whom it is necessary to be waajibul infiraad (waajib to be alone) is incorrect. For instance, a masbuuq (one who joins the jamaa'ah after one or more rak'ahs of the salaah had already been completed), on whom it is necessary to complete the missed rak'ahs on his own after completion of the jamaa'ah salaah. If anyone makes iqtidaa of a masbuuq, it will be incorrect.

18. The imaam should not be a muqtadii of anyone. i.e., such a person should not be made an imaam who himself is a muqtadii, whether it is haqiiqatan (in reality), like a mudrik (one standing behind an imaam from commencement of the salaah), or hukman (according to rule) like a laahiq (one who joins the imaam after one or more rak'ahs has been completed). A laahiq is considered a muqtadii when completing the rak'ahs missed during salaah with the imaam. Therefore if one makes iqtidaa of a mudrik or laahiq it will not be correct. In the same manner, if a masbuuq makes iqtidaa of a laahiq, or laahiq of a masbuuq the iqtidaa will be incorrect.

The regulations for jamaa'ah

Jamaa'ah (congregation) for the salaah of jumu'ah and 'eiid is a shart (compulsory prerequisite). Both these salaahs are not correct if done individually. For the daily five salaahs a jamaa'ah is waajib when there is no acceptable excuse. Jamaa'ah for taraawiih is sunnah mu-akkadah 'alal kifaayah, even if the whole Qur-aan had already been completely recited in taraawiih. As for salaatul kusuuf (solar eclipse prayer) and the witr salaah during Ramadaan, jamaa'ah is mustahab. Other than Ramadaan, at other times it is makruuh tanziihii to do witr with

jamaa'ah if jamaa'ah is done on a continuous basis. However, if two or three persons do so occasionally, it is not makruuh.

In the salaatul khusuuf (lunar eclipse prayer) and all nafl salaah jamaa'ah is makruuh tahriimii, on condition that if it is done with the same importance and attention as for the fard salaah, i.e., with a-dhaan and iqaamah or some other manner to gather the people. If without a-dhaan and iqaamah, or a gathering of people, three or less people come together to do a nafl salaah with jamaa'ah, there is no harm. However, it is necessary that this should not be done regularly, otherwise it becomes makruuh tahriimii.

Similarly a second jamaa'ah also becomes makruuh tahriimii if these four conditions are found:

1. If it is in a masjid of a mahallah (locality) and not on the main highway. The mahallah (locality) masjid is one where the imaam and musalliis are fixed (regular).
2. If the first jamaa'ah was done with a loudly-called a-dhaan and iqaamah.
3. If the first jamaa'ah was done by people of the locality of the masjid, who are responsible for its upkeep and supervision.
4. If the second jamaa'ah is done with the same diligence as the first.

This fourth condition is laid down by Imaam Abuu Yuusuf. The Imaam considers it makruuh, even if the form of the jamaa'ah is changed. If the second jamaa'ah is not done in the masjid, but at home, it is not makruuh. If any of the above four conditions are not met, e.g., where the masjid is on a main highway and not in a (built-up) locality, then the performing of salaah with a second, third or even fourth jamaa'ah is not makruuh. If the first jamaa'ah was made by people who are not residents of the locality nor have these people any say in the upkeep and supervision of the masjid, then according to Imaam Abuu Yuusuf the second jamaa'ah is not done with the same care and diligence as the first. If the new imaam stands at a spot away from where the imaam of the first jamaa'ah stood, the form of the jamaa'ah has changed, and jamaa'ah will not be makruuh.

Note: Many people act according to the verdict of Imaam Abuu Yuusuf. However, what is said in this regard by Imaam Abuu Haniifah is much stronger and the arguments in its favour are more convincing. In these days when there is such negligence and unmindfulness of dii-nii affairs, especially regarding jamaa'ah salaah, it is required that even in cases of changing the form of the jamaa'ah, the fatwaa of a second jamaa'ah being makruuh tahriimii should still be given, otherwise there is a strong possibility that people will purposely neglect going to the masjid for jamaa'ah because they will be able to form a second jamaa'ah.

Masaa-il pertaining to the imaam and muqtadii

1. It is necessary for the muqtadiis to appoint as imaam a person who has most of the attributes for imaamah. If there are many men capable for imaamah, then one should be elected by majority opinion. If they choose a less able man, their act will be an evil one for contravening the sunnah.

2. The man most eligible for imaamah is the one who knows the masaa-il of salaah thoroughly, provided he is not involved in sinful practices, and has memorised enough of the Qur-aan that is masnuun (sunnah), and can recite the Qur-aan correctly.

Thereafter comes a man who recites the Qur-aan best according to the rules of tajwiid.

Then comes that person who is most Allaah-fearing and righteous.

Then comes the eldest (who possess the above qualities). Then comes one who has the best character, then the most handsome, then the most noble, then the one with the best voice, then the one best-clothed, then the muqiim (resident), as against a musaafir (one travelling).

A man who has two attributes has more right to imaamah than one who has one. One who is most learned regarding the masaa-il of salaah and also recites the Qur-aan best, has more right to being imaam than one who knows the masaa-il well, but does not recite well.

3. If jamaa'ah is made in a house, the householder has more right to imaamah than anyone else, followed by one whom he appoints as imaam.

4. If a masjid has an appointed imaam, then only he has the right to imaamah. However, it will not matter if he asks someone else to lead the salaah.

5. In the presence of a shar'ee qaadii or the king or ruler, no one has any right to imaamah.

6. It is makruuh tahriimii to do imaamah without the consent of the people. However, if that person is the most capable, i.e., the conditions required for imaamah are found in him more than in any person present, it is not makruuh and those who are dissatisfied with his imaamah are in the wrong.

7. It is makruuh tahriimii to appoint a faasiq (evil-doer, immoral, open sinner) person or one involved in bid'ah (innovator in the diin) as an imaam. If besides such persons no one else is available, it will not be considered makruuh. And if the faasiq or bid'a-tii (innovator) is powerfully supported so that the musalliis are unable to depose him, or if great trouble is feared, it will not be makruuh upon the muqtadiis.

8. The imaamah of the following is makruuh tanziihii: One who according to fiqh rules is a slave or a former slave; a villager; a blind man who does not take precautions of tahaarah; one who is seldom seen at night; or an illegitimate person. However, if any of these people are learned and men of virtue and the congregation do not have any reservations or objections to them becoming imaam, it is not makruuh. Similarly it is makruuh tanziihii to appoint a young person as imaam whose beard has not yet grown, and who is unwise and stupid.

9. It is makruuh tahriimii for the imaam to recite long suurahs which are more than that required by the sunnah, and to unduly lengthen the rukuu' and sajdah. The imaam should take into consideration the needs, weakness, age etc. of the muqtadiis (followers). In fact, in times of necessity, it is better to recite less than what is stipulated in the sunnah, so that people do not become agitated or inconvenienced, as this could lead to less people attending the jamaa'ah.

10. When there is only one muqtadii, and he is an adult or a boy, then he should stand on the right side of the imaam, either in line with the imaam or a step behind. To stand on the left of the imaam or behind him is makruuh.

11. If there is more than one muqtadii, they should form a saff (row) behind the imaam. If there are only two and one stands on the right of the imaam and the other on the left, it is makruuh tanziihii. If they are three or more then it is makruuh tahriimii. Hence, if there are more than two muqtadiis they should form a saff behind the imaam.

12. If initially at the beginning of the salaah there was only one muqtadii and he stood on the right of the imaam, then another arrived, the first muqtadii should move backwards so that the two of them can form a saff (row) behind the imaam. If the first muqtadii does not move back, the second one should pull him back lightly. Should the second muqtadii erroneously go and stand on the left of the imaam, and does not pull the first muqtadii back, the imaam should take a step forward so that the muqtadiis can stand together behind him. If there is no place for the muqtadii to move back, the imaam should move forward. If however the first muqtadii is one who is not acquainted with the rules pertaining to salaah, as is the case these days, it is better not to pull him backwards because it is possible that he may do such an act which will make his salaah faasid (nullified).

13. If the muqtadii is a female or a non-baaligh girl, then whether they are one or more than one, they should stand behind the imaam.

14. If the muqtadiis consist of various type of people —men, children and women, it is the imaam's duty to arrange their saffs (rows) in such a way that men form the first saff, then the non-baaligh boys, then the ladies, and lastly the non-baaligh girls.

15. It is the imaam's duty to see that saffs are straight. i.e., he must prohibit them from standing (out of line). He must command them to stand together in a straight saff (shoulder to shoulder) without any gaps in between them.

16. It is makruuh for one person to stand alone in a saff by himself behind the last saff. One person from the saff immediately in front should be pulled back to stand with him. However, if it is probable

that that person may nullify his salaah, or feel offended, it is better to leave doing so.

17. While there is space in the first saff, it will be makruuh to stand in the second saff. When the front saff is full, then stand in a new saff.

18. It is makruuh tahriimii for a man to lead a jamaa'ah of only ladies, when there is no other male in the jamaa'ah, or a mahram female of the imaam (e.g., mother, sister, wife, daughter etc.). If a male or mahram female is present, it is not makruuh.

19. If a person performs the fard salaah of fajr, maghrib or 'e-shaa alone with a soft audible voice and someone comes and makes iqtidaa, there are two forms (alternatives):

a. This man may make the niyyah in his heart that (from the time one joins) he now becomes imaam so that jamaa'ah salaah is attained, or,
b. he does not make any niyyah but thinks that this person has come to stand behind him. He is not becoming an imaam, and continues his salaah as before individually. In the first situation it becomes waajib to recite audibly. If he had already recited softly the Suurah Faatihah or part of another suurah (or aa-yaat), now it becomes necessary for him to recite the remaining portion of Suurah Faatihah, or remaining suurah audibly (loudly). It is waajib for the imaam to recite audibly (loudly) during fajr, maghrib and 'e-shaa salaah. In the second situation, it is not waajib to recite audibly, and the salaah of that muqtadii will be correct, because for the correctness of the salaah it is not a condition that the imaam should make niyyah of being imaam.

20. It is mustahab for the imaam or an individual musallii when doing salaah in the house or out in the open to place a sutrah, i.e., something (a minimum of) one cubit (hands length) or more high, and the (minimum) thickness of a finger in front of him. If doing salaah in the masjid or such place where there is no movement of people in front, a sutrah will not be necessary. The sutrah of the imaam is sufficient for all the muqtadiis. After placing a sutrah there is no sin in

passing beyond it (the sutrah). It is a sin to pass in between the sutrah (i.e., between the sutrah and the musallii (one performing salaah)).

21. A laahiq is that muqtadii who after joining the jamaa'ah salaah has already missed some or all the rak'ahs, whether for example one is a ma'dhuur (excused) who slept in the salaah and in that period missed a rak'ah etc., or because many people could not do rukuu' or sajdah etc., or wuduu breaks and one had gone to do wuduu. During this period rak'ahs were missed.

A muqiim who makes iqtidaa of a musaafir (imaam) and the musaafir performs qasr, that muqiim is a laahiq after the (musaafir) imaam completes the salaah. Alternately, (the muqtadii) misses some rak'ahs without reason. i.e., doing rukuu' and sajdah before the imaam does, as a result this rak'ah will be regarded null and void. Due to this, such a muqtadii will be regarded as a laahiq. Hence, it is waajib on this laahiq to complete those rak'ahs which had become void.

22. A laahiq is considered a muqtadii for the rak'ahs he has missed. In the manner that a muqtadii does not recite (the Qur-aan), so also the laahiq will not do any recital, but remain standing silently. If the muqtadii makes an error, it will not be necessary to make sajdah sahw (prostration to compensate for an error). In the same manner a laahiq also does not make sajdah sahw.

23. The masbuuq (one who has missed one or more rak'ahs) should first join the imaam and perform the balance of the rak'ahs. After the imaam completes the salaah, the masbuuq should stand and complete the missed rak'ahs.

24. A masbuuq should do his missed rak'ahs like a munfarid (one who does salaah alone) with qiraa-ah (recital). If while doing the missed rak'ahs a sahw (error) is made, sajdah sahw becomes necessary.

25. A masbuuq should do his missed rak'ahs in the normal sequence, where first the rak'ahs with qiraa-ah then the rak'ahs without qiraa-ah are done. Qa'dah (sitting) should be made according to the rak'ahs completed with the imaam. In other words, according to sequence (count) in these rak'ahs, at the second rak'ah he will make the first qa'dah and at the end of the third rak'ah (if the salaah consists

of three rak'ahs, i.e., maghrib or the fourth (in a four-rak'ah salaah) he will do the last qa'dah.

Example: Someone joined the imaam in zuhr after three rak'ahs had been completed. After the end of the imaam's salaah, he will be required to add three rak'ahs in the proper sequence. In the first rak'ah he adds on, he recites Suurah Faatihah and a suurah and (that being his second rak'ah) he sits for the first qa'dah. Then in the next rak'ah (his third) he recites Suurah Faatihah and a suurah and does not sit at its end. Then in the last rak'ah he again recites Suurah Faatihah only and sits for the final qa'dah.

26. If a person is both a laahiq and a masbuuq, as for example having joined the imaam after he (the imaam) performed a few rak'ahs. After joining (the imaam) some more rak'ahs (due to some reason) are missed. He should first complete the rak'ahs that were missed when joining (becoming a laahiq). When completing these (originally missed) rak'ahs he should consider himself as performing salaah behind the imaam, i.e., he will not make qiraa-ah and be mindful of the tartiib (sequence) of the imaam. If the jamaa'ah is still in progress, he should rejoin the imaam, otherwise complete the remaining portion of his salaah. Thereafter he will complete those rak'ahs wherein he had become a masbuuq.

Example: During the 'asr salaah, a person joins after one rak'ah had been done. After joining the salaah the person's wuduu breaks. The person went to do wuduu and during this period the salaah ended. He should first perform the three rak'ahs which he missed (while he went for wuduu) after joining the jamaa'ah, then the rak'ah which he missed before joining the jamaa'ah. The three rak'ahs must be done like a muqtadii (follower), i.e., he will not make qiraa-ah (recital). He will make qa'dah (sit) after (his) the first rak'ah of those three rak'ahs, as this is the second rak'ah of the imaam and the imaam had made qa'dah. On the second rak'ah he will not make qa'dah as this was the imaam's third rak'ah. On the third rak'ah he will make qa'dah as this is the imaam's fourth rak'ah and the imaam had made qa'dah. He will now complete the rak'ah which he had missed before joining the imaam initially. He will again make qa'dah because this is now his

fourth rak'ah. In this (last) rak'ah he will make qiraa-ah too, because he is a masbuuq of this rak'ah. A masbuuq while performing missed rak'ahs is considered a munfarid.

27. It is sunnah for muqtadiis to do every rukn of the salaah behind the imaam without delay. He should say the opening takbiir tahriimah with the imaam, rukuu' must also be done with the rukuu' of the imaam, qaumah (standing after rukuu') also with the imaam, sajdah (prostration) also with the sajdah of the imaam. Every act should be done with the act of the imaam. However if in the first qa'dah (sitting) the imaam stands up before the muqtadiis had completed recital of at-tahiyyaatu, the muqtadiis should first complete at- tahiyyaatu and then stand up. Similarly if the imaam says the salaam before the muqtadiis finish at-tahiyyaatu, the muqtadiis should first complete their recital of at-tahiyyaatu then say the salaam. In the rukuu' and sajdah, if the muqtadiis had not completed their tasbiih, and the imaam rises, the muqtadiis should rise with the imaam.

Masaa-il of joining the jamaa'ah (congregation)

1. If anyone arrives at the masjid of his locality and finds that salaah with the jamaa'ah has been completed, then it is mustahab for him to proceed to another masjid in search of a jamaa'ah to do salaah. He may return home, get together the members of his family and perform jamaa'ah.

2. If a person has already done a fard salaah alone at home, and thereafter sees that same salaah is being performed with jamaa'ah, then it is required that he should join that jamaa'ah, on condition that it is the time of zuhr or 'e-shaa. One should not join fajr, 'asr and maghrib, because after the fajr and 'asr, nafl salaah is makruuh. Salaah after maghrib is considered nafl, and nafl does not consist of three rak'ahs.

3. A person has already begun performing a fard salaah (on his own), and during that state, a fard salaah with jamaa'ah begins. Then if that fard consists of two rak'ahs, like the fajr salaah,

then the rule is that if he had not made the sajdah of the first rak'ah, he should break off his salaah and join the jamaa'ah. If he had already made sajdah of the first rak'ah but not the sajdah of the second rak'ah, then too he should discontinue his salaah and join the jamaa'ah. However, if he had completed the sajdah of the second rak'ah, then he should complete his salaah. If the fard consists of three rak'ahs like maghrib, then the rule is, if he had not done the sajdah of the second rak'ah, he should discontinue his salaah and join the jamaa'ah. If he had already done the sajdah of the second rak'ah, he should complete his salaah and not join the jamaa'ah, because three rak'ahs nafl salaah is not permissible. If the salaah consists of four rak'ahs like zuhr, 'asr, and 'e-shaa, and he had not yet done sajdah of the first rak'ah, he should discontinue his salaah. If he had already done sajdah, he should recite at-tahiyyaat of the second rak'ah and make the salaam and join the jamaa'ah. If he has commenced the third rak'ah and had not done sajdah yet, he should discontinue his salaah. If sajdah (of the third rak'ah) has already been made, the salaah should be completed. In the situations where salaah has to be completed, i.e., maghrib, fajr and 'asr, the jamaa'ah should not be joined again, but the zuhr and 'e-shaa should be joined. In the situations where salaah has to be discontinued, one salaam (right side) should be made while still standing.

4. If a person has already begun a nafl salaah, and then a fard salaah commences, the nafl salaah should be be completed and not discontinued. After completing two rak'ahs, make salaam if the niyyah (intention) was to perform four rak'ahs.

5. If one has already commenced the sunnah mu-akkadah salaah of zuhr and jumu'ah when the fard commences with jamaa'ah, the zaahir madh-hab (school of jurisprudence) is that after two rak'ahs he should say the salaam and join the jamaa'ah. It is prevalant among many fuqahaa (jurists) that the four rak'ahs should be completed. If one had already begun the third rak'ah, it becomes necessary to complete the four rak'ahs.

6. When the fard salaah is in progress, the sunnah etc. must not be performed, on condition that there is no fear of missing a rak'ah. If one

is certain or has a strong inclination that the first rak'ah may not be missed, the sunnah should be performed. For example, at the time of zuhr when the fard jamaa'ah commences and there is fear if the sunnah is done a rak'ah will be missed, then the sunnah muakkadah which is done before the fard should be delayed. Then in the zuhr and jumu'ah after having performed the fard, it is better to first do the sunnah mu-akkadah which was missed then the other sunnahs. As the sunnahs of fajr are sunnah mu-akkadah, the rule for it is therefore, if the fard jamaa'ah has commenced, it should be performed, on condition that one hopes to attain a rak'ah of the fard. If there is no hope of attaining a rak'ah, the sunnah should not be performed. If desired, the sunnah could be done after sunrise.

7. If it is feared that if the sunnah of fajr is performed with its sunan (sunnahs), jamaa'ah will not be attained, then in such a case it will suffice to do the faraa-id (plural of fard) and waajibaat (waajibs) only, and leave out the sunan etc.

8. Where sunnahs are performed while fard (jamaa'ah) has already begun, whether they be at fajr or any other time, it should be done at such a place which is apart from the masjid, because where fard is performed it is makruuh tahriimii to do any other salaah. If such a place is not found, salaah should be done in a corner away from the saffs (rows).

9. If qa'dah of the jamaa'ah is attained but not the rak'ahs, then too thawaab (reward) of jamaa'ah will be attained.

10. If the rukuu' of a rak'ah is attained with the imaam, it will be understood that the rak'ah has been attained. If the rukuu' is not attained, then that rak'ah will not be counted as having been attained.

11. Women should do their salaah individually and not with jamaa'ah. They should not go to the masjid for jamaa'ah and join the men. If a woman does salaah with the jamaa'ah of her husband, father or a mahram etc., she should not stand in line with the male. She should stand completely behind, otherwise her salaah and the salaah of the male will be void. She should not recite Suurah Faatihah or any other suurah etc. behind the imaam, but remain silent.

The masaa-il of niyyah

1. It is shart (compulsory prerequisite) for a muqtadii to make niyyah (intention) of iqtidaa (following) one's imaam.

2. It is shart (compulsory prerequisite) for the imaam to make niyyah for his salaah only. It is not shart to make niyyah for imaamah (leading the salaah). If a woman wants to do salaah behind him, while standing behind men, and the salaah not being that of janaazah, jumu'ah and 'eiidayn (two 'eiids, i.e., 'eiidul fitr and 'eiidul ad-haa), it is a shart for the imaam to make niyyah of imaamah for females for her salaah to be correct. If she is not standing with the males, or it is for janaazah, jumu'ah and 'eiidayn, then there will be no shart.

3. It is not shart for the muqtadii to specify (name) the imaam, that it is Zayd or 'Amr. For example, it is sufficient to say the niyyah, "I am performing salaah behind this imaam." If he makes niyyah taking the name of the imaam, then another person became imaam, his salaah will be void. For example, a person made niyyah that "I am performing salaah behind Zayd", whereas the person behind whom he is performing salaah is Khaalid, his salaah is not correct.

The takbiir tahriimah

1. Some ill-informed people when entering the masjid find the imaam in rukuu'. In haste they quickly go into rukuu', and in that state (while in rukuu') say the takbiir tahriimah. Their salaah is not valid. The takbiir tahriimah (first takbiir) is a shart (compulsory prerequisite) of salaah. To stand and say the takbiir tahriimah is also shart. If one did not stand (and say the takbiir tahriimah) before commencing the salaah it will not be correct. If the beginning is not correct how can the salaah be correct?

Some masaa-il of the fard salaah

1. The alif (aa) of Aamiin (after having recited Suurah Faatihah), should be stretched. Thereafter a suurah of the Qur-aan Majiid should be recited.

2. When a person travels, or there is need to do salaah in haste, then

after Suurah Faatihah any suurah may be recited. If one is not travelling, or there is no need for haste, then in fajr and zuhr one should recite Suurah Huju-raat and Suurah Burooj or any suurah between these two suurahs. The suurah in the first rak'ah of fajr should be longer than the one in the second rak'ah. As for the other times, the suurah of the first rak'ah should be equal in length to the second. If there is a difference of one or two verses, it does not matter.
In 'asr and 'e-shaa one should recite between the suurahs of "Wassamaa-i-wat-taariq" and "Lam yakun" or any suurah inbetween. In maghrib salaah one should recite between Suurah "I-dhaa zulzilah" till the end of the Qur-aan.

3. When one rises up from the rukuu' and stands straight, the imaam should only say "Sami Allaahu liman hamidah" and the muqtadii should only say, "Rabbanaa lakal hamd". The munfarid (one who performs salaah alone) should say both these, then while saying the takbiir place both hands on the knees and go into sajdah. The end of saying the takbiir should coincide with the beginning of the sajdah. In other words, the takbiir should end the moment the sajdah commences.

4. When going into sajdah the knees should first touch the ground, then the hands, then the nose and then the forehead. The face should be placed in between the two hands and the fingers should be together (touching one another), pointing towards the qiblah. Both feet should stand upright and toes face the qiblah. The stomach should be separated from the thighs and the upper arms away from the sides (i.e., not touching). The stomach should be so far lifted from the ground that a very small lamb may pass through.

5. In fajr, maghrib and 'e-shaa the imaam should recite the Suurah Faatihah, another suurah, "Sami'allaahu liman hamidah" and all the takbiirs audibly. A munfarid has a choice (recite audibly or 'softly) for the qiraa-ah (recital of the suurahs), but "Sami'allaahu liman hamidah" and takbiirs must be said softly. In the zuhr and 'asr salaahs the imaam only says the "Sami'allaahu liman hamidah" and the takbiirs audibly. A munfarid will say these softly. A muqtadii will always say the takbiirs etc. softly.

6. After having completed the salaah lift both hands up to the breasts and make du'aa for oneself. If one is an imaam, make du'aa for all the muqtadiis too. After having made du'aa pass both hands (palms) over the face. Whether the muqtadiis make their own du'aa, or hear the imaam's du'aa, all should say, "Aa-miin."

7. Those salaahs which are followed by sunnahs, i.e., zuhr maghrib and 'e-shaa, the du'aa should not be lengthened. Say a short du'aa then do the sunan (sunnahs). Those salaah where there is no sunnah after the fard like the fajr and 'asr, one may remain in du'aa for as long as one wishes. If one is an imaam, sit facing the muqtadiis, either to the right or left. Thereafter make du'aa provided no masbuuq is doing salaah facing him.

8. After the fard salaah, provided there are no sunnah to be done, or after completing the sunan (sunnahs) it is mustahab to recite thrice:

اَسْتَغْفِرُ اللهَ الْعَظِيمَ الَّذِي لَا إِلَهَ إِلَّا هُوَ الْحَيُّ الْقَيُّوم

As-tagh-fi-rul-laa-hal 'a-zeem al-la-dhee laa ilaa-ha il-laa
hu-wal hay-yul-qay-yuum.

I seek forgiveness of Allaah the Great, besides whom there is no deity, the Living, the Self-subsisting.

Then recite Aayatul-Kursii, Suurah Al-Ikhlaas, Suurah Al-Falaq and Suurah An-naas once each. Thereafter say, "Subhaanallaah" 33 times, "Alhamdulillaah" 33 times, and "Allaahu Akbar" 34 times.

Some important masaa-il pertaining to the faraa-id and waajibaat

1. There is no qiraa-ah for a mudrik (one who has joined the imaam from the beginning of the jamaa'ah). The qiraa-ah (recital) of the imaam suffices for all the muqtadiis. Imaam Abuu Haniifah, rahimahullaah, considers it makruuh for muqtadiis to make qiraa-ah behind the imaam.

2. For the masbuuq (one who joined the imaam after the salaah had begun), it is fard to recite qiraa-ah in one or two of the missed rak'ahs.

3. The conclusion of this is, there being an imaam, the muqtadii should not make qiraa-ah. A masbuuq, because of there being no imaam for the missed rak'ahs, should, when doing the missed rak'ahs, do qiraa-ah.

4. The spot on which sajdah is made should not be a palm span higher than the feet. If sajdah is done on a spot higher than one palm span it will not be correct. If there are unforeseen circumstances, it is permissible.

5. It is waajib for the imaam to do qiraa-ah audibly in the two rak'ahs of fajr, the first two rak'ahs of maghrib and 'e-shaa, in jumu'ah, both 'eiids, taraawiih and witr of Ramadaan.

6. The munfarid has the choice of reciting loudly or softly in the first two rak'ahs of maghrib, 'e-shaa and fajr. The fuqahaa have written that, reciting "audibly", means that the next person may also hear, and reciting "softly" means reciting to oneself so that the next person does not hear.

7. It is waajib for both the imaam and the munfarid to recite the qiraa-ah of all the rak'ahs of zuhr, 'asr and the last (third) rak'ah of maghrib and the last two rak'ahs of 'e-shaa softly.

8. Nafl salaah done during the day, should be done with soft qiraa-ah. One has a choice (to make qiraa-ah audibly or softly) for nafl salaah done at night.

9. If a munfarid does qadaa of fajr, maghrib or 'e-shaa, during the day, it is waajib to do qiraa-ah softly. One has a choice (of reciting audibly or softly) during the night.

10. If one forgets to recite a suurah after Suurah Faatihah in the first or second rak'ah of maghrib or 'e-shaa, then a suurah should be added in the third or fourth rak'ah. It is waajib to do qiraa-ah audibly in the third and fourth rak'ahs. At the end of the salaah, it is waajib to do sajdah sahw.

Some sunan of salaah

1. Before saying the takbiir tahriimah raise both hands. Males should

lift the hands up to the ears and females up to the shoulders. If there is a valid reason, there is no harm if males raise their hands only up to the shoulders.

2. Immediately after saying the takbiir tahriimah, men should fold their hands below the navel. Women should fold their hands on the breasts.

3. The imaam and munfarid should say "aa-miin" softly at the end of the faatihah. When the qiraa-ah is recited audibly, it is sunnah for all the muqtadiis to say "aa-miin" softly.

4. In rukuu' it is sunnah for men to keep both arms away from the sides.

5. It is sunnah in the qa'dah that both hands be placed on the thighs, the tips of the fingers being near the knees.

Acts which makes salaah faasid

1. Speaking during salaah, whether on purpose or unwittingly, makes the salaah faasid (nullified).

2. During salaah, if aah, oh, oof or hi are exclaimed audibly, or one cries loudly, salaah becomes faasid (nullified). However, if the heart is overcome while remembering or pondering jannah or jahannam, and an exclamation comes out loudly, the salaah is not faasid.

3. Coughing unnecessarily or such needless cleaning of the throat through which even a single sound is heard causes the salaah to become faasid. However when done by force of circumstances, one is excused and the salaah remains valid.

4. If a person sneezes in salaah and says "Alhamdulillaah", the salaah is not faasid, but one should not say it (i.e. Alhamdulillaah). However, if another sneezed and someone in reply says "Yarhamukallaah", the salaah is faasid.

5. Looking into the Qur-aan and reciting it during salaah nullifies the salaah.

6. If one turns so much in the salaah, that the chest turns away from the qiblah, the salaah becomes faasid.

7. Answering the salaam (greeting) of anyone by saying "Wa'alaykumus salaam" nullifies the salaah.

8. If a woman ties a knot in her hair during salaah, the salaah is faasid.

9. If something is eaten or drunk during salaah, the salaah is faasid, even if a small till (sesame) or a piece of rind or bark is picked up and eaten. If a piece of rind etc. was stuck in the teeth, and it is swallowed, and it is smaller than a chanaa (chickpea), the salaah is valid. If it is the size of a chanaa or larger, salaah becomes faasid.

10. If someone has paan (a betel leaf) pressed inside the mouth and its juice goes into the throat, the salaah is not faasid.

11. If someone eats something sweet, then rinses the mouth and begins performing salaah, but its taste remains in the mouth and with the saliva (the sweetness) goes down the throat, the salaah is correct.

12. Good news is heard while in salaah. Thereupon one exclaims "Alhamdulillaah", or the news of someone's death is heard, whereupon "In-naa lil-laa-hi wa-in-naa i-lay-hi raa-ji-'oon" is said, the salaah is faasid.

13. A child etc. falls, and while falling someone said, "Bismillaah", salaah is faasid.

14. During salaah a child comes and drinks the milk of its mother, the salaah is faasid. If no milk came out, the salaah will not be faasid.

15. When saying "Allaahu Akbar" the alif of Allaah is stretched saying "Aallaahu Akbar", or "Allaahu Aakbar", the salaah is faasid. Similarly, the baa of Akbar is extended saying "Allaahu Akbaar", then too the salaah is not valid.

16. If during salaah one sees a letter or book, but does not read it aloud, but understands its meaning, salaah does not become faasid. However, if it is read audibly, salaah is faasid.

17. If someone passes in front of a person doing salaah, or a dog, cat, sheep etc. does so, salaah will not become faasid. The person passing in front of a musallii is a great sinner. Therefore, salaah should be done in such a place, where no-one who wishes to pass in front will be inconvenienced and troubled. If there is no such separate place available, place a stick of at least a hands (cubits) length high and the width of a finger in front. Stand behind the stick and do not place it right in front of the nose. Place it in line with the right or left eye. If a

stick is not placed then place something else of the same height, like a stool. It now becomes permissible to pass in front (of the musallii). There is no sin.

18. If for some reason, one takes a step forward in the direction of the qiblah, or backward (during salaah), provided the chest did not turn away from the direction of the qiblah, the salaah remains correct. If one steps further than the place of sajdah, salaah is nullified.

Further acts which make salaah faasid

1. During salaah, to give luqmah, (correcting one who recites the Qur-aan Majiid incorrectly) to another besides one's imaam, makes the salaah faasid.

2. The correct verdict is that if the muqtadii gives his imaam a luqmah, his salaah is not faasid, even if the imaam had already recited an amount that is sufficient or not.

3. If the imaam has already done qiraa-ah of a sufficient portion (of the Qur-aan) (and then makes an error), he should do rukuu'. Muqtadiis should not be compelled to give luqmah. (To do so is makruuh). Muqtadiis should not give the imaam luqmah unless it is extremely necessary. (This is also makruuh). By "extremely necessary" is meant, for example, if the imaam recited incorrectly and intends to carry on, or does not do rukuu', or remains standing silently. If the imaam is given luqmah without it being extremely necessary, then too salaah will not be faasid.

4. If one who is doing salaah gives luqmah to a person who is not his imaam, even if the one given luqmah is also in salaah or not, in every situation the salaah of the one giving luqmah becomes faasid.

5. If a muqtadii, by hearing someone else reciting or by looking into the Qur-aan, gives the imaam a luqmah, the salaah of the one giving luqmah is faasid. If the imaam accepts that luqmah, his salaah too is faasid. If the muqtadii, on looking into the Qur-aan or hearing someone else reading the Qur-aan, then himself remembers the correct reading and then gives the imaam a luqmah, his salaah is not faasid.

6. In the same manner, while doing salaah one looks into the

Qur-aan and recites an aa-yah, his salaah is faasid. If the aa-yah he has recited while looking in the Qur-aan, was already memorised before, then the salaah is not faasid. If one had looked into the Qur-aan and recited less than an aa-yah, the salaah is not faasid.

7. If a woman stands with a man in such a manner that a portion of the body of any one of them is in line with any part of the body of the other, even at the time of going into sajdah, and the head of the woman comes into line (mahaa-dhah) with the leg of the man, then too the salaah is faasid provided that:

a. The woman is already baalighah or is not yet baalighah, but capable of sexual relations. If a young non-baalighah girl comes in line during salaah, salaah will not be faasid.

b. Both are in salaah, hence, if one is in salaah and the other not, then this mahaa-dhah (being in line) does not nullify the salaah.

c. If there is no barrier or screen in between them, but there is a curtain, or an obstruction like a sutrah, or there is a small space where one man can stand easily, then salaah is not faasid.

d. The sharts (compulsory prerequisites) for a woman's salaah to be correct are found. Hence, if a woman is insane, or in the state of hayd (monthly menses) or nifaas (period after childbirth), then her being in the same line does not make the salaah faasid, because in these situations she herself will not be regarded as being in salaah.

e. The salaah not being that of janaazah (funeral). In janaazah salaah mahaa-dhaat does not nullify the salaah.

f. The mahaa-dhaat remains for one full rukn (of the salaah). If it is for a lesser period it is not a mufsid (nullify the salaah). For example, the mahaa-dhaat is for such a period wherein a rukuu' etc. cannot be completed, whereafter the mahaa-dhaat changes. Due to this short period of mahaa-dhaat, salaah does not become faasid.

g. The takbiir tahriimah of both are the same, e.g., this woman

is a muqtadii of that man, or both are muqtadiis of a third person.

h. When commencing salaah the imaam made niyyah for the woman, or in between when she joined he made niyyah. If the imaam did not make niyyah, then that mahaa-dhaat will not make the salaah faasid, but the salaah of the woman will not be correct.

8. Should the imaam leave the masjid without substituting a khaliifah (one who takes over from the imaam during salaah) after his wuduu had broken, the salaah of all muqtadiis is faasid.

9. The imaam made such a person his khaliifah (to continue leading the salaah), who is unfit to be an imaam, e.g., an insane one, or non-baaligh (immature) child, or a woman, the salaah of everyone is faasid.

10. If a man is in salaah and his wife kisses him, the man's salaah is not faasid. But if on being kissed the man's passion is roused, salaah is faasid. However, if a woman is in salaah, and a man kisses her, the salaah of the woman becomes faasid, whether the man kissed her with passion or without passion, or whether the woman was aroused or not aroused.

11. If a person intends to pass in front of a musallii (person doing salaah), then it is permissible for the musallii to impede and prevent him, provided that while preventing "much movement" does not occur, otherwise salaah becomes faasid.

Acts which are makruuh and prohibited in salaah

1. Makruuh refers to those things by which salaah does not become faasid (nullified), but less thawaab (reward) is attained and a sin is committed.

2. It is makruuh in salaah to play around with one's clothes, body, jewellery or to remove stones and pebbles. If one cannot do sajdah because of pebbles, then by moving the hand once or twice to level or remove the pebbles, is permissible.

3. It is makruuh to crack the fingers in salaah, or place the hands on the hips, or turn the face to the right or left.

4. Sitting with both feet upright, or flat on the ground with both legs folded in front, or to sit in the manner of a dog is makruuh. One may sit in whichever manner one is able to due to pain and illness. In such a situation it is not makruuh.

5. In replying to a salaam (greeting), to lift the hand and answer a salaam is makruuh. If the reply is by word, the salaah is faasid.

6. It is also makruuh to pull the clothes together in order to avoid parts of the clothes being touched by sand or dust.

7. It is makruuh to do salaah in such a place where it is feared that someone will make one laugh in the salaah, or the mind may wander, or an error will be committed in salaah.

8. Should anyone be sitting in front of one talking, or busy with some other work, then to stand directly behind him, facing his back and doing salaah, is not makruuh. If the one sitting in front is disturbed or agitated, then salaah should not be done behind the person, or if the person in front talks so loudly that it is feared that it will cause an error in one's salaah, then salaah should not be done there. It will be makruuh to do so. It is makruuh to do salaah face to face with someone.

9. If the Qur-aan Kariim is in front of the musallii (one performing salaah) or a sword is hanging there, there is no harm.

10. Salaah is valid if done on a carpet with pictures on it. Care should be taken that sajdah is not made on the pictures. It is makruuh to have a musallaa (sajjaadah - mat or cloth on which salaah is performed) which has pictures of living things on it. To keep pictures of living things in the home is a major sin.

11. If there are pictures over the head (on the ceiling), or on the wall in front, or to the left or right, the salaah is makruuh. If the pictures are under the feet the salaah is not makruuh. But, if a very small picture is put on the floor and cannot be seen when standing, or it is not a complete picture, its head being cut out or erased, then there is no harm. Such (small) pictures do not make the salaah makruuh.

12. It is makruuh to do salaah in clothing with pictures thereon.

13. If pictures are of lifeless, soulless things like houses, trees etc. it is not makruuh.

14. It is makruuh in the salaah to count the verses or anything else on one's fingers. However, if one remembers what to read by folding the fingers, it does not matter.

15. It is makruuh to make the second rak'ah longer than the first one.

16. To fix a certain suurah for a certain salaah, and to always recite the fixed suurah in that salaah and no other suurah, is makruuh.

17. To hang a head-cloth (ruumaal - ghutr) over the shoulders in salaah is also makruuh.

18. It is makruuh to do salaah in dirty, polluted clothes. If one does not possess other clothing it will be permissible.

19. It is makruuh to keep coins etc. in the mouth during salaah. If things prevent one from reciting the Qur-aan, the salaah is not valid.

20. When one experiences a great need to relieve oneself, it is makruuh to do salaah in such a state.

21. When one is very hungry and food is ready, one should first eat and then do salaah. Performing salaah without eating is makruuh. However, if little time is left and the salaah period will lapse, salaah must be done first.

22. It is preferable not to do salaah with closed eyes. But, if by closing the eyes there is more earnestness, sincerity and mindfulness in salaah, then it is not wrong to do so.

23. To spit or to cleanse the nose without any dire need in salaah is makruuh. If necessary, it will be permissible. For example, if one coughs and phlegm comes into the mouth, then to spit it out to the left side (where practical), or into a piece of cloth, is permissible. One should not spit to the right or towards the qiblah.

24. If a bug bites one in salaah, it may be caught. It is not good to kill it while in salaah. If the bug has not yet bitten, it should not be caught. Catching it if it has not bitten is makruuh.

25. While in salaah a suurah was not completed and one or two words were left, and in haste one goes into rukuu' and completes the suurah in rukuu', the salaah is makruuh.

26. If the sajdah spot is higher than the spot where the feet are placed in salaah, for example, when one performs sajdah on a threshold, then see how much higher it is. If it is more than a palm span higher, the salaah is not correct. If it is a palm span or less the salaah is correct. Doing so without a good reason is makruuh.

27. It becomes makruuh tahriimii to wear one's clothes in a manner other than in an acceptable way, e.g., putting on a shirt upside-down, wearing a chaadar without throwing the ends over the shoulders, or putting on a kurtah (thaub) without putting the arms in the sleeves.

28. It is makruuh tahriimii to wear clothing against the normal practice and do salaah, i.e., against the manner in which clothing is worn by respectable people.

29. If one wears a shawl and does not throw its ends over the shoulder, or wears a kurtah (thaub) and does not put the hands in the sleeves, then the salaah makruuh.

30. It is makruuh to do salaah bare-headed.

31. If someone's topii (headgear) or 'i-maamah (turban) falls off during salaah, it is best to pick it up and put it on. If it involves a lot of movement, then do not put it on.

32. It is makruuh tahriimii for men to put both elbows on the ground in sajdah.

33. It is makruuh tanziihii for the imaam to stand inside the mihraab. If he stands outside the mihraab and makes sajdah in the mihraab it is not makruuh.

34. It is makruuh tanziihii for the muqtadiis to stand on a higher level than the imaam without any valid reason. If some muqtadiis are on the same level as the imaam and others on a higher level, it is permissible.

35. It is makruuh tahriimii for the muqtadii to do any act before the imaam does.

36. When the imaam is doing qiraa-ah during qiyaam (standing), it is makruuh tahriimii for the muqtadii to say a du'aa etc., or do qiraa-ah of the Qur-aan Majiid, even though it be the Suurah Faatihah or any other suurah.

Reasons for which one is permitted to break the salaah

1. If a person is in salaah on a station (while travelling by train) and the train begins to depart while his belongings are in it, or his wife and children are in it, it is permissible for him to break the salaah and embark.

2. If a snake appears while in salaah, the salaah may be terminated if one is afraid of it.

3. If at night, a chicken was left unprotected and a cat appears which could take the chicken, it is permissible to terminate the salaah.

4. If while performing salaah someone picks up another person's shoes and it is feared that if the owner does not break his salaah, the thief will run away with his shoes, it is permissible for him to break his niyyah (of salaah).

5. If a woman is in salaah and a pot begins to boil, the value of which is about five rands, it is permissible to terminate the salaah. Briefly, if it is feared that a thing will be destroyed or become ruined, the value of which is about five rands, it is permitted to break the salaah to save it.

6. If during salaah a great urge to urinate or relieve oneself is experienced, salaah must be terminated. Thereafter perform salaah.

7. If a person in salaah sees a blind man or woman walking in the direction of an open well, and it is feared he or she will fall into it, it is fard (incumbent) to break the salaah and save the person. If salaah is not terminated and the blind person falls into the well and drowns, the musallii will be a grave sinner.

8. If a child's or someone else's clothing catches fire, and began to burn, it is fard to break the salaah (and assist).

9. If a mother, father, paternal or maternal grandfather or grandmother calls for assistance due to some difficulty, it is waajib to break a fard salaah. For example, if one's father or mother etc. is ill and while going or coming from the toilet slips and falls down, break the salaah and pick them up. However, if there is someone else who will pick them up, then salaah should not be terminated unnecessarily.

10. If someone fears he or she may fall, and calls for assistance, then too salaah should be terminated (and assist the caller).

11. If the call is not urgent, it is not correct to terminate a fard salaah.

If while doing a nafl or sunnah, one's father, mother, paternal or maternal grandfather or grandmother calls, and the caller does not know that one is performing salaah, then it is waajib to break the salaah and answer the call, whether it is for an emergency or not. The command for both is the same. If one does not answer the call, one will be sinning. If the caller knows that the one called is doing salaah and still calls him, the salaah should not be terminated, but if the call is urgent and it is feared the person will come to harm, salaah should be terminated.

The appearance of hadath in salaah

1. When hadath (impurity) is experienced in salaah, if it is hadath akbar (greater impurity) due which ghusl becomes waajib, salaah becomes faasid (nullified). If it is hadath as-ghar (minor impurity), it will be one of two kinds: It will either be ikh-tiyaarii (voluntarily) or ghayr ikh-tiyaarii (non-voluntarily), that is, it comes about and the person has no control for its occurrence. If it is deliberate, the salaah becomes faasid. For example, when a person bursts out laughing loudly in salaah or strikes some part of his own body so vigorously that blood comes out, or purposely breaks wind, or walks on a roof, and as a result of walking, a stone or something falls from the roof and hits the head of one doing salaah, resulting in bleeding. In such situations, salaah becomes faasid, because all these acts are deliberate. If the acts are involuntary, there are two circumstances. Either it is a rare event, like becoming insane, unconscious, the imaam dying etc., or events which happen often, like breaking wind, urinating, relieving oneself, or the secretion of madhii (pre-seminal fluid) etc. If it is a rare occurance, salaah becomes faasid. If it is not a rare occurance, salaah is not faasid. The person has a shar'ee option that after removing the hadath to complete (the remaining portion of) the salaah, which is termed binaa (build upon), it is preferable that the salaah be repeated, i.e., to do the salaah all over again from the begining.

2. When hadath comes on a munfarid (one who does salaah alone), he should hastily do wuduu and complete his salaah at the same spot where he started. This is preferable. If desired, he may return to the spot where he broke his salaah and complete it there. The best is however to purposely say the salaam to end the first salaah, and to repeat the salaah anew after wuduu.

3. If hadath comes on an imaam, even in the last qa'dah, he should immediately do wuduu. It is preferable for him to appoint someone suitable for imaamah from among his muqtadiis to continue the salaah. After having done wuduu, if the jamaa'ah is still in progress, he should join the jamaa'ah as a muqtadii of his khaliifah (one whom he appointed in his place). If jamaa'ah had ended, he should complete his salaah, either where he had done wuduu or where he had stood first.

4. Having appointed a khaliifah, one does not remain the imaam, but becomes a muqtadii. If however, the imaam does not appoint a khaliifah, but a muqtadii (on realising that the imaam's wuduu is broken), on his own accord, moves forward and stands in the imaam's place and makes niyyah of imaamah, it is correct provided that by that time the imaam has not left the masjid, or if the salaah is not in the masjid, provided that the imaam has not gone beyond the saffs (rows of musalliis) or sutrah (barrier). If the imaam had gone beyond these, the salaah becomes faasid. Now, no one else can become (or deputise for) the imaam.

5. When hadath comes on a muqtadii, he should immediately go for wuduu. After wuduu he should join the jamaa'ah if it is still in progress; otherwise he should complete his salaah on his own.

6. It is preferable not to make binaa, but to terminate that salaah by saying the salaam, then repeat the complete salaah.

Witr salaah

1. Witr salaah is waajib, the status of which is very near fard. To leave it is a great sin. If for any reason it has been missed, one should do it as a qadaa at the first possible occasion.

2. Witr consists of three rak'ahs. After two rak'ahs, sit and recite

at-tahiyyaat and omit the salawaat (duruud). After reciting at-tahiyyaat immediately stand up, recite Suurah Faatihah and a suurah and say "Allaahu Akbar." Lift the hands to the shoulders and clasp them as before. Recite the qunuut then go into rukuu'. At the third rak'ah recite at-tahiyyaat, salawaat, du'aa and the salaam.

3. This is the qunuut:

اَللّٰهُمَّ إِنَّا نَسْتَعِينُكَ وَنَسْتَغْفِرُكَ وَنُؤْمِنُ بِكَ وَنَتَوَكَّلُ عَلَيْكَ وَنُثْنِي عَلَيكَ
الْخَيْرَ ، وَنَشْكُرُكَ وَلَا نَكْفُرُكَ وَنَخْلَعُ وَنَتْرُكُ مَن يَّفْجُرُكَ ، اَللّٰهُمَّ إِيَّاكَ
نَعْبُدُ وَلَكَ نُصَلِّي وَنَسْجُدُ وَإِلَيْكَ نَسْعَى وَنَحْفِدُ وَنَرْجُوا رَحْمَتَكَ وَنَخْشَى
عَذَابَكَ ، إِنَّ عَذَابَكَ بِالْكُفَّارِ مُلْحِقٌ

Al-laa-hum-ma in-naa nas-ta-ee-nu-ka wa-nas-tagh-fi-ru-ka wa-nu-mi-nu bi-ka wa-na-ta-wak-ka-lu 'a-lay-ka wa- nuth-nii 'a-lay-kal khayr wa-nash-ku-ru-ka wa-laa nak-fu-ru-ka wa-nakh-la-'u wa-nat-ru-ku may yaf-ju-ru-ka. Al-laa-hum-ma iy-yaa-ka na'bu-du wa-la-ka nu-sal-lii, wa-nas-ju-du wa-i-lay-ka nas'aa wa-nah-fi-du wa-nar-juu rah-ma-ta-ka wa-nakh-shaa 'a-dhaa-ba-ka. In-na 'a-dhaa-ba-ka bil-kuf-faa-ri mul-hiq.

O Allaah, from You we seek help and from You we seek forgiveness, and we believe in You and we rely on You. We praise Your name and we thank You and we are not ungrateful to You. And we remove ourselves from and flee from him who is disobedient to You. O Allaah it is You we worship and to You we pray and before You we prostrate ourselves. It is to You that we flee and we desire Your mercy and we fear Your punishment, for Your punishment surely reaches the disbelievers.

4. In all three rak'ahs of witr a suurah must be added with Suurah Faatihah.

5. If recital of qunuut in the third rak'ah is forgotten and one went

into rukuu', and it is then remembered, then the qunuut must not be recited, but, at the end of the salaah, sajdah sahw must be made. If after rukuu' one stands up and recites the qunuut, salaah will be correct, but this should not have been done. In this case too sajdah sahw should be made.

6. If unmindfully the qunuut is recited in the first or second rak'ah, it will have no credence. The qunuut will have to be repeated in the third rak'ah, and sajdah sahw made at the end of the salaah.

One who does not know the qunuut should recite the following du'aa.

رَبَّنَا آتِنَا فِي الدُّنْيَا حَسَنَةً وَّفِي الْآخِرَةِ حَسَنَةً وَّقِنَا عَذَابَ النَّارِ

Rab-ba-naa aa-ti-naa fid dun-yaa ha-sa-na-taw wa-fil aa-khi-ra-ti ha-sa-na-taw wa-qi-naa 'a-dhaa-ban naar.

Our Rabb grant us the good of this world and the good of the hereafter. And save us from the punishment of the fire.

Or say three times:

اَللّٰهُمَّ اغْفِرْ لِي

Al-laa-hum-magh-fir lii.

Allaah forgive me.

Or say thrice:

يَا رَبْ ، يَا رَبْ ، يَا رَبْ

Yaa Rabb, Yaa Rabb, Yaa Rabb.

O my Rabb, O my Rabb, O my Rabb.

Sunnah and nafl salaah

1. At the time of fajr before the fard salaah, two rak'ahs are sunnah. These two rak'ahs have been greatly emphasised in the hadiith and they should never be left out. If it gets late and the time for (the fajr) salaah is about to end, then because time is short, only do the two fard. When the sun rises a bit high, do the two sunnah rak'ahs as qadaa.

2. At the time of zuhr, first do four rak'ahs sunnah, then four rak'ahs fard and thereafter two sunnah. At the time of zuhr these six sunnah rak'ahs are also necessary. Its performance has been greatly emphasised.

3. At the time of 'asr, first do four rak'ahs sunnah, then four rak'ahs fard. However, the sunnah rak'ahs of 'asr have not been greatly emphasised. Whoever performs it will receive great reward.

4. At the time of maghrib first do three rak'ahs fard then do two rak'ahs sunnah. These sunnahs are also necessary. Not performing them is a sin.

5. At the time of 'e-shaa it is better and mustahab to first do four (or two) rak'ahs sunnah, followed by four rak'ahs fard, then two rak'ahs sunnah. It is very necessary to perform these two (sunnah) rak'ahs. If it is not done one will be sinning. Thereafter, if one desires, do two rak'ahs nafl. According to this calculation 'e-shaa has six sunnahs. If all these rak'ahs are not done, then first do the four fard rak'ahs, then the the sunnah rak'ahs then the (three rak'ahs) witr.

6. During Ramadaan, the taraawiih salaah is also sunnah.

Note: Those sunnahs which are necessary to do are called sunnah mu-akkadah. During the day and night there are twelve such sunnah rak'ahs, two at fajr, four before zuhr, two after zuhr, two after maghrib and two after 'e-shaa. In Ramadaan, taraawiih and according to some 'ulamaa, tahajjud are also counted among the sunnah mu-akkadah.

7. These salaah have been fixed by the sharii'ah. If anyone wishes to do more than that, one may recite as many rak'ahs as one wishes,

provided that the makruuh times are avoided. Salaah must not be done at the makruuh times. Apart from the fard and the sunnahs, whatever salaah is done are termed nafl. The more nafl a person performs, the greater reward one attains. There is no stipulated limit.

8. Some nafl salaah carry excessive reward. Therefore, it is better to do these nafl, instead of other types of nafl. With a little effort great reward is attained. These are:

Tahiyyatul Wuduu
Tahiyyatul Masjid
Ishraaq
Chaasht (Duhaa)
Owwaa-biin
Tahajjud
Salaatut Tasbiih

9. Tahiyyatul Wuduu is the name for the two rak'ahs nafl which are performed whenever wuduu is done. Great virtues have been mentioned in the hadiith for it.

10. Tahiyyatul Masjid is sunnah for the person entering a masjid. The object of this salaah is honour and respect for the masjid, which in reality is respect and honour for Allaah, because honour for a place means honour for the owner of the place. After entering the masjid, and before sitting, perform two rak'ahs.

11. If one enters the masjid at a makruuh (disapproved) time (for salaah), recite these words four times:

سُبْحَانَ اللهِ وَالْحَمْدُ لِلّٰهِ وَلَا إِلٰهَ إِلَّا اللهُ وَاللهُ أَكْبَر

Sub-haa-nal-laa-hi wal-ham-du lil-laa-hi wa-laa i-laa-ha
il-lal-laa-hu wal-laa-hu ak-bar.

Glory be to Allaah and all praise be to Allaah, and there is no deity (worthy of worship) save Allaah, and Allaah is great.

and then recite salawaat (duruud). The niyyah for this salaah is:

"I have the intention of doing two rak'ahs of tahiyyatul masjid."

12. There is no stipulation to do two rak'ahs only. If four rak'ahs are done, it does not matter. If on entering the masjid a fard salaah or any other sunnah has already commenced, then that fard or sunnah will include the tahiyyatul masjid, which means the reward for tahiyyatul masjid will be gained, even though the niyyah (intention) for tahiyyatul masjid is not made.

13. If someone, on entering the masjid, first sits then stands up to do tahiyyatul-masjid, there is no harm, but it is better to do the salaah before being seated.

14. If per chance a masjid is entered many times successively, it is sufficient to do the tahiyyatul masjid once only.

15. The manner of performing ishraaq salaah is as follows: After having done fajr salaah, do not get up from the musallaa (sajjaadah - prayer mat) (i.e., the spot where fajr salaah was done), remain seated (on the place where fajr was done) and recite salawaat (duruud), kalimah tawhiid (first kalimah), tilaawah (recital) of the Qur-aan or some other waziifah remembering Allaah Ta'aalaa. Do not talk or do anything of a worldly nature. After sunrise when the sun has risen a bit, do two or four rak'ahs. For this, one gains the reward of a hajj and 'umrah. If after the fajr salaah one gets busy with some worldly pursuit, and after the sun has risen salaatul ishraaq is performed, it will be correct, but the reward will be less.

16. When the sun has risen quite high and the temperature becomes hot (at approximately 11 am), then do at least two, four, six, eight or twelve rak'ahs. This salaah is known as chaasht (duhaa). For this too there is great reward.

17. After the fard and sunnah of maghrib do at least six rak'ahs, the maximum being twenty rak'ahs. This is the salaah of owwaa-biin.

18. There is tremendous reward for waking up after half the night has passed. This is the time for tahajjud salaah. This salaah is most acceptable to Allaah and the most abundant reward is gained for it. Tahajjud consists of a minimum of four rak'ahs and a maximum of twelve rak'ahs. If not, then a minimum of two rak'ahs tahajjud should be done. One who does not have the courage to get up in the latter part

of the night, should do it after 'e-shaa, but the same reward will not be received.

19. Unlimited reward for the salaatut tasbiih has been mentioned in the hadiith. Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, taught his uncle Sayyidinaa 'Abbaas, radiyallaahu 'anhu, how to perform it, and said that through it all previous and future, major and minor sins are forgiven, and that, if possible, it should be done every day, and if not daily then once a week, and if not once a week, then once a month, and if not once a month, then once a year. If this is not possible, then once in a lifetime. The manner of doing this salaah is to make niyyah for four rak'ahs. Then having recited the Subhaana-kallaahumma, Faatihah and suurah, before going into rukuu', recite this du'aa (kalimah) fifteen times:

سُبْحَانَ اللهِ وَالْحَمْدُ لِلّٰهِ وَلَا إِلٰهَ إِلَّا اللهُ وَاللهُ أَكْبَر

Sub-haa-nal-laa-hi wal-ham-du-lil-laa-hi wa-laa i-laa-ha
il-lal-laa-hu wal-laa-hu ak-bar.

Glory be to Allaah and all praise be to Allaah, and there is no deity (worthy of worship) save Allaah, and Allaah is great.

then go into rukuu' and after having said the Subhaana rabbiyal 'aziim repeat the above mentioned kalimaat (wordings - du'aa) (subhaanallaah) ten times. Then stand up from the rukuu', and after saying Sami'allaahu liman hamidah repeat the kalimaat ten times. Go into sajdah, and after saying the Subhaana rabbiyal aa'laa repeat the kalimaat ten times. Then sitting up after the sajdah repeat the kalimaat ten times. Thereafter do the second sajdah, and after saying the Subhaana rabbiyal aa'laa repeat the kalimaat ten times. Sit after the second sajdah and repeat the kalimaat ten times, then stand up for the second rak'ah. Do the second rak'ah in the same manner. After sitting for at-tahiyyaat in the second rak'ah, first repeat the kalimaat ten times before reciting at-tahiyyaat. In this manner complete four rak'ahs. In every rak'ah the kalimaat will be recited seventy five times, totaling three hundred in the four rak'ahs.

20. In these four rak'ahs recite any suurah after the faatihah, as no suurah has been fixed.

21. When doing nafl salaah by day, make niyyah (intention) for two rak'ahs. If desired make niyyah for four rak'ahs. It is makruuh to make niyyah of more than four rak'ahs at a time. At night, to make niyyah for a six or eight rak'ah salaah (together at one time) is also correct. Niyyah for more than that at one time is makruuh.

22. If niyyah is made for four rak'ahs, all four rak'ahs should be performed. Then when sitting at the second rak'ah and reciting at-tahiyyaat, one has the option of reciting the salawaat (duruud) and du'aa then standing up for the third rak'ah and again saying the thanaa (subhaanakal laahumma), a'oo-dhu, bismillaah, then beginning the Suuratul Faatihah, or, reciting at-tahiyyaat only and standing. In the third rak'ah, begin by reciting bismillaah and al-hamdu. In the fourth rak'ah sit and recite at-tahiyyaat etc. and say the salaam. If niyyah for eight rak'ahs has been made, the eight rak'ahs should be completed with one salaam. Both methods mentioned above are correct (for this salaah). Whether after reciting at-tahiyyaat, salaawaat (duruud) and du'aa one stands up and recites the thanaa, or after reciting at-tahiyyaat, one stands up and begins with bismillaah and Suurah Faatihah. In the same manner in the sixth rak'ah recite at-tahiyyaat, salawaat, du'aa and stand up, then recite the thanaa, or, after reciting at-tahiyyaat only stand up, recite bismillaah and Suuratul Faatihah etc. At the eighth rak'ah sit and complete all recitals and do the salaam. In this manner, after every two rak'ah, one has the option of following either method.

23. It is waajib in all sunnah and nafl salaah to add a suurah after the Suuratul Faatihah. Leaving the suurah out purposely is a sin. If one forgot to add a suurah, sajdah sahw has to be made.

24. If one had made niyyah for nafl salaah, it becomes waajib to complete it. If the salaah is terminated, a sin has been committed. Qadaa must be made for the salaah that has been terminated. However, in nafl every two rak'ahs are regarded as separate. If niyyah for four or six rak'ahs had been made, it is waajib to complete two rak'ahs only. All four rak'ahs are not waajib. If niyyah for four rak'ahs had been

made and after doing only two, salaam is made, there is no sin.

25. If niyyah to do four rak'ahs is made and two rak'ahs had been completed. Thereafter, the niyyah was then terminated in the third or fourth rak'ah. If in the second rak'ah at-tahiyyaat etc. was recited, qadaa of two rak'ahs must be made. If in the second rak'ah, without reciting at-tahiyyaat one mistakenly stood up, or stood up intentionally, then qadaa of all four rak'ahs will have to be made.

26. If niyyah for four rak'ah sunnah of zuhr was terminated, then the full four rak'ahs must be repeated, whether after two rak'ahs one had sat and recited at-tahiyyaat or not.

27. It is correct to do nafl salaah in a sitting posture, but the reward is half that of one standing, therefore, it is better to stand and perform salaah. This also applies to the nafl after witr. A person who due to illness cannot stand, will receive full reward. It is not correct to do fard and sunnah in a sitting posture without a valid reason (i.e. illness).

28. If nafl salaah was commenced in a sitting posture, then while sitting some portions were read and thereafter one stood up and continued the salaah, this will be correct.

29. If nafl salaah was begun in a standing posture, then during the first or second rak'ah one sat down, this is also correct.

30. If nafl salaah was done standing, but due to weakness one got tired, then it is correct to lean on a stick or wall, without it being makruuh.

Taraawiih salaah

1. During the month of Ramadaan it is sunnah to perform the taraawiih salaah. Its importance has been greatly stressed. Leaving it and not performing it is a great sin. After the fard and sunnahs of 'e-shaa, twenty rak'ahs are performed. Make niyyah (intention) for two rak'ahs at a time. Niyyah can also be made for four rak'ahs, but to do two at a time is better. When twenty rak'ahs are completed do the witr.

2. Performing witr after taraawiih with jamaa'ah is best. If performed earlier (after the e-shaa), it will be correct.

3. It is mustahab during taraawiih salaah to remain seated after every four rak'ahs, the same amount of time it had taken to do the four rak'ahs. However, if by sitting so long, people will become agitated and there is fear that the jamaa'ah may become less, then there is the option of sitting for a shorter duration. During this period one may do nafl salaah alone, repeat some tasbiih etc. or just sit quietly.

4. If a person had already performed taraawiih after 'e-shaa and thereafter discovers that some error had happened in 'e-shaa through which the salaah became nullified, then after repeating 'e-shaa, the taraawiih too must be repeated.

5. If 'e-shaa was not done with jamaa'ah, taraawiih should also not be done with jamaa'ah, because taraawiih is appended to 'e-shaa. A person may however join those people who have done 'e-shaa with jamaa'ah, and are now in a jamaa'ah doing taraawiih, even if he had done 'e-shaa and taraawiih alone.

6. If a person reaches the masjid at such a time when 'e-shaa salaah had already been done, he must first do 'e-shaa and then join the taraawiih salaah. During this period if some rak'ahs of taraawiih are missed, these should be done after witr. This person must do witr with jamaa'ah.

7. It is sunnah mu-akkadah to recite khatam (complete recitation) of the Qur-aan in taraawiih during Ramadaan. It should not be ommitted because of laziness. If however there is a strong possibility that by completing a khatam of the Qur-aan, people will not come for jamaa'ah or that the jamaa'ah will break up, or that they will be resentful (at having to stand so long), then it is better to recite only so much that will not cause dissension. The last ten suurahs from "Alam tara kayfa" (Suuratul Feel) to the end may be recited, one suurah in every rak'ah. After completing ten rak'ahs, repeat these suurahs a second time, or recite any other suurahs.

8. More than one khatam of the Qur-aan in taraawiih should not be made, ascertain people's enthusiasm first.

9. The full recitation of the Qur-aan in one night is permissible, provided the people are extremely enthusiastic and do not feel over burdened. If overburdened, it is makruuh.

10. In taraawiih the imaam should recite "Bismilla-hir-rah-maa-nirrahiim" once audibly at the beginning of any suurah, as bismillaah is also an aa-yah (verse) of the Quraan and not part of any suurah. If bismillaah is not recited at all, one aa-yah of the Qur-aan will have been left out in the completion of the Qur-aan Majiid. If it is recited silently the khatam of the muqtadiis will be incomplete.

11. The performing of taraawiih is sunnah during the whole month of Ramadaan, even though the khatam of the Qur-aan is made before the month ends. For example, if the Qur-aan Majiid is completed on the fifteenth night, the performing of taraawiih is still sunnah mu-akkadah on the remaining nights of Ramadaan.

12. The correct verdict is that the recital of Qul-huwallaah three times in taraawiih as is the custom these days, is makruuh.

Sajdah sahw

1. If one or more of those facets which are waajib in salaah are mistakenly left out, it is waajib to do sajdah sahw (prostration for an error in salaah). Through it the salaah is rectified. If sajdah sahw is not made, the salaah must be repeated.

2. The method of doing sajdah sahw is that in the last rak'ah, after reciting at-tahiyyaat, make salaam only to the right side and then do two sajdahs. Thereafter sit and repeat at-tahiyyaat, the salawaat (duruud) and du'aa and complete the salaah by making salaam on both sides.

3. When a fard of the salaah had been erroneously left out, sajdah sahw will not correct the salaah. The salaah must be repeated.

4. If sajdah sahw was done by mistake before the salaam, the salaah will be correct.

5. If accidentally two rukuu's were done or three sajdahs, sajdah sahw becomes waajib.

6. If in salaah one forgot to recite Suurah Faatihah, and only a suurah was recited, thereafter Suurah Faatihah was recited, sajdah sahw becomes waajib.

7. During the first two rak'ahs of a fard salaah, the adding of a suurah after the faatihah was forgotten, then in the last two rak'ahs

a suurah must be added and sajdah sahw made. If a suurah was not added to one of the first two rak'ahs, it should be added to one of the last two rak'ahs and sajdah sahw made. If adding a suurah in the last rak'ah was also forgotten, e.g., suurahs were not added in the first two or last two rak'ahs, and it was realised in the last rak'ah while reciting at-tahiyyaat that a suurah had not been added in both rak'ahs or in one of the rak'ahs, then by doing sajadah sahw, salaah will be valid.

8. It is waajib to add a suurah in every rak'ah of sunnah and nafl salaahs. If adding a suurah was forgotten in any rak'ah, sajdah sahw must be done.

9. If after reciting Suurah Faatihah, one began to think what suurah should be recited, and while thinking so much time passed that "subhaanallaah" could be said thrice, then too sajdah sahw is waajib.

10. In the last rak'ah, after reciting at-tahiyyaat and salawaat (duruud), one doubts whether four rak'ahs were done or three. Then one sat quietly thinking before making salaam, but it took so long that "subhaanallaah" could have been said three times. Thereafter, one remembered that one had done all four rak'ahs. In such a situation sajdah sahw is waajib.

11. If after having recited faatihah and a suurah, one erroneously began thinking before going into rukuu', but it took so long, as has been mentioned previously (saying "subhaanallaah" three times), then sajdah sahw becomes waajib.

12. Similarly, while reciting, one stopped and began thinking of something. While thinking it took so long; or while sitting for at-tahiyyaat in the second or fourth rak'ah recital of at-tahiyyaat was not begun immediately, and instead so much time was spent thinking; or when coming up from rukuu' one stood thinking for long; or when sitting between the two sajdahs so much time was spent thinking of something; then in all such situations sajdah sahw is waajib. Briefly, if some time lapses in error in doing an act, or due to being immersed in some thought, time lapses, sajdah sahw is waajib.

13. If in a three or four rak'ah fard salaah, when sitting for the second rak'ah, at-tahiyyaat was recited twice, sajdah sahw is waajib. If

after at-tahiyyaat, this much "Allaahumma sallii 'alaa Muhammad" is recited, or more than this is recited, thereafter one remembered and stood up, then too sajdah sahw is waajib. If less was recited, sajdah sahw is not waajib.

14. In nafl salaah, when sitting for the second rak'ah, to recite the salawaat (duruud) after at-tahiyyaat is permissible, because in the nafl at-tahiyyaat is recited twice, then in nafl too, sajdah sahw becomes waajib.

15. A person sat for at-tahiyyaat but instead of at-tahiyyaat something else was recited, or the person began to recite the "Alhamdu" (Suurah Faatihah), sajdah sahw is waajib.

16. After the niyyah, instead of reciting subhaana-kallaahumma (thanaa) one began reciting the qunuut, sajdah sahw is not waajib. Similarly in the third and fourth rak'ah of a fard salaah, in place of Suurah Faatihah, one begins to recite at-tahiyyaat or something else, sajdah sahw is not waajib.

17. In a three or four rak'ah salaah, one forgot to sit for the first qa'dah (i.e. in the second rak'ah). After performing two rak'ahs one rose up for the third rak'ah. If the bottom half of the body had not straightened yet, one should sit and recite at-tahiyyaat, then stand up. In this case sajdah sahw is not waajib. If half of the body had straightened already, one should not sit but stand and complete the four rak'ahs sitting only in the last rak'ah. In this case sajdah sahw is waajib. If after standing up one sits again and recites at-tahiyyaat, one will be sinning. Sajdah sahw will now still be waajib.

18. If one forgot to sit in the fourth rak'ah, and the top part of the body had not straightened yet (while getting up to stand), then sit and recite at-tahiyyaat, salawaat etc. and make the salaam. Do not make sajdah sahw. If one stood up fully then too sit, even if Al-hamdu and a suurah had been recited, or rukuu' done, then too sit and recite at-tahiyyaat etc. and do sajdah sahw. If after the rukuu' one did not remember and do sajdah of the fifth rak'ah, then the salaah must be repeated. This will now be a nafl salaah. Add another rak'ah to make it six rak'ahs and do not make sajdah sahw. If an extra rak'ah was not

added and salaam was made after five rak'ahs, four rak'ahs will be considered nafl and one rak'ah wasted.

19. After having sat in the fourth rak'ah and recited at-tahiyyaat one stood up, and before making sajdah one remembers, sits again and does not recite at-tahiyyaat. Do salaam immediately and do sajdah sahw. If sajdah of the fifth rak'ah had been done already and one remembers, add one rak'ah making it six rak'ahs. Four rak'ahs will be fard and two nafl. Do sajdah sahw at the end of the sixth rak'ah. If salaam is done at the end of the fifth rak'ah and sajdah sahw done, a wrong has been committed. Four rak'ahs will be fard and one rak'ah worthless.

20. If four rak'ahs nafl salaah was performed, but one forgot to sit in between (at the second rak'ah), then until the sajdah of the third rak'ah had not been performed, and one then remembers, sit down. If sajdah had already been done, it will not matter and the salaah is valid. Sajdah sahw in both instances is waajib.

21. While performing salaah one doubts whether three or four rak'ahs had been done. If the doubt happened rarely and does not happen habitually, the salaah should be repeated. If doubt comes about often, then think which of the two is most likely. If the heart says it is three, add a rak'ah. It will not be waajib to do sajdah sahw. If it is strongly supposed that four rak'ahs have been done, do not add another rak'ah, nor do sajdah sahw. If after reflecting, no decision can be made whether it is three or four rak'ahs, it must then be taken that three rak'ahs have been done and do another rak'ah. But in this case at-tahiyyaat should be recited in the third rak'ah also, then stand up and perform the fourth rak'ah. Do sajdah sahw also.

22. If one doubted whether it is the first or second rak'ah, the same rule will apply (as above), but in this case at-tahiyyaat must be recited at the end of every rak'ah. Do sajdah sahw and then salaam.

23. If after performing salaah it is doubted and not known whether three (or four) rak'ahs had been done, this doubt has no validity and the salaah is valid. However, if one remembers clearly that only three rak'ahs had been done, than stand and perform one more rak'ah and

the sajdah sahw. If after the s̲alaah one had spoken or did a thing which nullifies the s̲alaah, the s̲alaah should be repeated. In the same manner, after reciting at-tah̲iyyaat one had doubts, the same rule will apply. Until one is not certain, the doubt will not be taken into account. If, as a precaution, one repeats the s̲alaah, it will be better so that the uncertainty is removed and no doubt remains.

24. If in a s̲alaah so many things happened due to which sajdah sahw becomes waajib, only one sajdah will suffice for all the sahw (errors). In one s̲alaah, two sajdah sahw are not done.

25. After doing the sajdah sahw, something happens which causes sajdah sahw to become waajib, then the previously done sajdah sahw is sufficient. Another sajdah sahw must not be done.

26. An error was committed in the s̲alaah which makes sajdah sahw waajib, but one forgot to make sajdah sahw and made salaam on both sides. If one is still sitting in the same pla̲ce and had not turned the chest away from the qiblah, nor spoke to anyone, nor done anything done which nullifies the s̲alaah, then do the sajdah sahw. If while sitting one had begun reciting the kalimah, s̲alawaat, or some waziifah, there is no harm. If sajdah sahw is done now (at this moment), the s̲alaah will be correct.

27. Sajdah sahw became waajib if one intentionally made salaam on both sides, and intended to not do sajdah sahw, then too, as long as one has not committed any act which nullifies the s̲alaah, one still has the option of doing sajdah sahw.

28. In a three or four rak'ah s̲alaah a person, by mistake, made salaam on both sides after two rak'ahs, one then stands up, completes the s̲alaah and does sajdah sahw. Certainly, if after making salaam, such an act was done that nullifies the s̲alaah, the s̲alaah must be repeated.

29. If by mistake one recited the qunuut in the first or second rak'ah of witr, this will not have any consequence. The qunuut must be read again in the third rak'ah and sajdah sahw done.

30. In the witr s̲alaah doubt arose, and it is not known whether one is in the second or third rak'ah, nor is there a firm inclination towards one or the other. Qunuut should then be recited in that rak'ah, then

one sits, and after at-tahiyyaat, stands, performs another rak'ah and recite the qunuut (again). In the end, do sajdah sahw.

31. If in witr, instead of the qunuut, one recited "Subhaana-kal-laahumma." Then after remembering, qunuut was recited. Sajdah sahw is then not waajib.

32. If one forgot to recite the qunuut in witr and after reciting the suurah, one went into rukuu'. Sajdah sahw is waajib.

33. If after the al-hamdu (Suurah Faatihah) one recited two or three suurahs, no sajdah sahw is waajib.

34. In the last two rak'ahs, or one rak'ah of a (four rak'ah) fard salaah, a suurah is added, sajdah sahw is not waajib.

35. In the begining of a salaah, the recital of subhaana-kallaahumma was forgotten; or subhaana rabbiyal 'a-ziim was not said in the rukuu'; or subhaana rabbiyal aa'laa was not said in the sajdah; or one forgot to say sami'allaahu liman hamidah after standing up from rukuu'; or the hands were not raised to the shoulders when making niyyah (intention) (for salaah); or in the last rak'ah salawaat or du'aa was not recited, or only one salaam was made - in all these cases sajdah sahw is not waajib.

36. If in the last two rak'ahs or any rak'ah of a fard salaah, recital of Suurah Faatihah was forgotten and one stood quietly before going into rukuu', then too no sajdah sahw is waajib.

37. If one performs acts in salaah which are makruuh, forgetfully, sajdah sahw is waajib.. If these acts are done intentionally, sajdah sahw is not waajib and the salaah has to be repeated. Even if sajdah sahw is made, the salaah is not valid. Forgetting to do aspects that are not fard or waajib in salaah does not nullify the salaah, and sajdah sahw does not become waajib.

38. If in a salaah that is performed silently, one who is either an imaam or munfarid, reads with an audible voice, or in a salaah that is performed with an audible voice, an imaam reads silently, sajdah sahw should be done. In a silent salaah, very little was read audibly, which is not enough to render the salaah correct, e.g., two or three words come out audibly, or the same amount is recited silently in a salaah that is performed audibly, then sajdah sahw is not necessary. This is the correct verdict.

The sajdah of tilaawah

1. There are fourteen aa-yahs of sajdah tilaawah in the Qur-aan. Wherever the word sajdah is written in the margin of the Qur-aan, it is waajib to do sajdah after reciting that aa-yah (verse). This is the sajdah tilaawah.

2. The manner of doing sajdah tilaawah is to say "Allaahu Akbar" and do sajdah. The hands must not be raised when saying "Allaaahu Akbar". Say "Subhaana rabbiyal aa'laa" at least three times in the sajdah. Then, say "Allaahu Akbar" and raise the head. Sajdah tilaawah is done.

3. It is preferable to stand, say "Allaahu Akbar" and go into sajdah. Then say "Allaahu akbar" and stand up. If while sitting one says "Allaahu Akbar" and goes into sajdah, then says "Allaahu Akbar" and sits up, this too is correct.

4. It is waajib for the person reciting the aa-yah of sajdah tilaawah and the one who listens, to do sajdah, whether a person sat to listen to the Qur-aan Shariif, or was busy with something else and did not intend listening to the aa-yah of sajdah. Therefore, it is preferable that the aa-yah of sajdah be recited softly so that it does not become waajib on others.

5. Things that are considered shart (compulsory prerequisite) for salaah is also shart (compulsory prerequisite) for sajdah tilaawah, e.g., wuduu, cleanliness of the place of sajdah, cleanliness of body and clothes, facing the qiblah, etc.

6. Sajdah tilaawah should be done in the same manner in which sajdah is done for salaah. Some people do sajdah on the Qur-aan. This does not absolve one and the sajdah is not valid.

7. If one is not in the state of wuduu at that moment, then sometime later, do wuduu and do the sajdah. It is not necessary to do the sajdah immediately, but it is better to make the sajdah at that moment, because it is possible one may not remember later.

8. If one is obligated to fulfil many sajdah tilaawahs, which had not been done yet, it should be done now. It should be done throughout one's lifetime and if it is never done, one will be sinning.

9. If during hayd (menstruation) or nifaas (period of bleeding after

childbirth) a woman heard the aa-yah of sajdah recited, sajdah is not waajib on her. If she heard it when it was waajib for her to have a bath, then it becomes waajib for her to do sajdah tilaawah after ghusl.

10. If an aa-yah of sajdah tilaawah is heard during illness and one is unable to do the sajdah, then just as salaah movements are done with signs, so too this sajdah should be done by signs.

11. If an aa-yah of sajdah is recited in salaah, then after reciting the aa-yah, sajdah should be done immediately in the salaah. Then after reciting the remaining portion of the suurah, go into rukuu'. If after reciting the aa-yah of sajdah, sajdah is not done immediately, and a few more aa-yahs are recited, then sajdah is done. The duty would have been discharged, but one will have sinned.

12. If one immediately goes into rukuu' after reciting an aa-yah of sajdah, and in the rukuu' one makes niyyah to perform this rukuu' for the sajdah tilaawah, the sajdah will have been done. If niyyah was not made in the rukuu', and sajdah is done after rukuu', with this sajdah, the sajdah tilaawah would have been done, whether niyyah was made or not made.

13. While in salaah, one hears another reciting the aa-yah of sajdah, then sajdah must not be done in the salaah, but after completing the salaah. If sajdah tilaawah is done in salaah, the sajdah will not be valid. It will have to be repeated (after salaah) and one would have sinned.

14. If an aa-yah of sajdah is repeated many times while sitting in one place, then only one sajdah is waajib, whether sajdah is done after recitation is complete or after reciting it the first time. If the place is changed, and the same aa-yah repeated, then one goes to a third place and repeats the same aa-yah. In this manner places are changed. Then, the amount of places changed and the number of aa-yah repeated, so many times sajdah tilaawah will have to be done.

15. If sitting in one place, and many different aa-yahs of sajdahs are recited, then, as many different aa-yahs are recited, so many sajdahs must be done.

16. If while sitting, an aa-yah of sajdah is recited, and then one stood up, but did not walk around and stood where one was sitting, and kept on repeating the aa-yah of sajdah, then only one sajdah is waajib.

17. Someone recited the aa-yah of sajdah while sitting in one place, then got up and went to do some work. Thereafter he returned to the same spot and repeated the same aa-yah. Then too, two sajdahs must be done.

18. Sitting in one place, an aa-yah of sajdah was recited. After making tilaawah of the Qur-aan Majiid, the person sat in the same place and got busy with other work e.g., writing or sewing. Thereafter, the same aa-yah of sajdah was recited at the same place, then too, two sajdahs become waajib. This means, when some other work is done, it must be understood that the place has been changed.

19. An aa-yah of sajdah is recited sitting in one corner of a small room or hall, and then the same aa-yah of sajdah is recited in another corner. Only one sajdah is sufficient, no matter how many times the aa-yah is repeated. But after becoming busy with some work one again recites the same aa-yah, another sajdah will have to be done. If one again becomes busy with some work and thereafter repeats the aa-yah of sajdah, then sajdah tilaawah becomes waajib a third time.

20. If the room is large, and one repeats the aa-yah of sajdah in another corner, another sajdah becomes waajib. If repeated in a third corner, a third sajdah has to be done.

21. The rule that applies to a small room also applies to a masjid. If one sajdah is repeated numerous times, only one sajdah needs to be done, irrespective of whether one sits in one place or moves about.

22. If in salaah, one aa-yah of sajdah is repeated many times, only one sajdah is waajib, whether sajdah is done after repeating the aa-yahs or in the end, or sajdah is done after reciting it once, then in the same rak'ah or the next rak'ah the aa-yah is repeated.

23. An aa-yah of sajdah was recited (while sitting or standing), and sajdah was not done. Then at the same place, one made niyyah and the same aa-yah was repeated in the salaah, then the sajdah tilaawah was done in the salaah. This sajdah is sufficient for both recitals. If the place has been changed, another sajdah will be waajib.

24. If after reciting an aa-yah of sajdah tilaawah, sajdah had been made. Thereafter, at the same spot, one made niyyah for salaah and repeated the same aa-yah. Sajdah should be done again in the salaah.

25. If the one reciting did not change places, and sat in one place and repeated one aa-yah many times, but, the one listening changed places, e.g., the first time it was heard in one place, the second time at another place, the third time at a third place, then only one sajdah is waajib on the reciter and several sajdahs are waajib on the one who listened. The amount of times the aa-yah was heard at different places, so many times sajdahs should be done.

26. The place of the one who heard (the aa-yah of sajdah recited) did not change, but the one reciting changed places. Many sajdahs will be waajib on the one reciting, and only one on the one listening.

27. It is makruuh and forbidden to recite a whole suurah and leave out the aa-yah of sajdahs, solely to avoid doing the sajdah. The aa-yah of sajdah should not be left out, since it is tantamount to refusing to do sajdah.

28. If one heard an imaam reciting a sajdah aa-yah and thereafter joins the imaam in jamaa'ah, then one should do sajdah with the imaam. If one joins after the imaam had already done the sajdah, two circumstances arise. If one joined the imaam in the rak'ah wherein the aa-yah of sajdah was recited, one need not do the sajdah. It will be understood that by attaining that rak'ah the sajdah had also been attained. The second is that the rak'ah was not attained. After completing the salaah, it is waajib to do the sajdah after salaah.

29. If an aa-yah of sajdah is heard from a muqtadii (one who follows the imaam in salaah), sajdah is not waajib, nor on the one reciting, nor on the imaam, nor on the people who joined the salaah. The one who is not a participant in the salaah, or not doing salaah, or doing some other salaah, sajdah will be waajib on that person.

30. During sajdah tilaawah, if one laughs loudly, the wuduu does not break, but the sajdah becomes baatil (void).

31. The mahaa-dhaat (standing in the same line) of a woman does not nullify the sajdah tilaawah.

32. If sajdah tilaawah becomes waajib during salaah, it is waajib to do it immediately. It is not permissible to delay it.

33. The aa-yah of sajdah recited out of salaah and done in salaah, and the aa-yah of sajdah recited in salaah and done out of salaah,

cannot be done in another salaah. If one recites the aa-yah of sajdah in salaah and does not do sajdah, one will be sinning. There is no other way but to repent, saying, "O Most Merciful one, with Your grace pardon me."

34. The aa-yah of sajdah should not be recited in the jumu'ah, 'eiidayn (two 'eiids), and salaah performed silently. It is feared that the muqtadiis will become confused in doing the sajdah

The salaah of the sick

1. Salaah should not be left out in any state or condition. Until one has the strength to do salaah in a standing position, salaah should be done in a standing posture. If one cannot stand, do salaah in a sitting posture. While sitting, do rukuu' bending over until the forehead is in line with the knees.

2. If one does not possess the strength to do rukuu' and sajdah, then rukuu' and sajdah must be done by signs. For sajdah, bow (the head) lower than for rukuu'.

3. It is not advisable for a sick person to place a cushion or something elevated on which to do sajdah. When one is unable to do sajdah, then do movements by signs.

4. If a person can stand (in salaah), but standing causes great difficulty, or one fears that one's sickness will get worse, then too it is correct to do the salaah in a sitting position.

5. If one is able to stand but unable to do rukuu' or sajdah, then one may do the salaah standing, and do rukuu' and sajdah with sign movements, or one may sit and do salaah, and do rukuu' and sajdah with movements by signs.

6. If one does not have the strength, then one should place some cushions behind the back and lie down in such a manner that the head is kept as high as possible, nearest to a sitting posture. Stretch the legs towards the qiblah. If one has the strength, one should not stretch the legs towards the qiblah, but raise the knees and perform the salaah with signs. The sign of the sajdah must be lower (than the rukuu'). If one cannot sit in this manner, with the support of a cushion lifting the head and chest higher, then lie down flat with the legs facing the

qiblah and place a cushion under the head to raise the face towards the qiblah. The face should not face the sky. Perform salaah with head movements. Bend the head less for rukuu', and more for sajdah.

7. If one does not lie flat on the back, but on the right or left side facing the qiblah and does rukuu' and sajdah with signs, it is also permissible, but it is better to lie flat on the back.

8. If a person is unable even to perform salaah by signs or head movements, such a person should not perform salaah at all. If this state of affairs last for more than one day and night, this person is exempted from salaah, and on recovering it is not waajib to make qadaa. If this condition lasts for a day and night or less, and then one recovers, and has the strength to make signs with the head again, then qadaa should be done with signs. One should not intend to perform qadaa after recovering completely, because if perhaps death comes, one will die a sinner.

9. A healthy person becomes unconscious but does not remain unconscious for more than one full day and night, then it is waajib to do qadaa (of the missed salaahs), but if the unconsciousness lasts for more than that period, no qadaa is waajib.

10. If salaah is commenced when one is fit and healthy, and during the course of the salaah one becomes ill and is unable to stand, then one should do the balance of the salaah sitting. If able to do rukuu' and sajdah, do so, otherwise do it with movements of the head. And if the ailment becomes such that one cannot sit, lie down and complete the salaah.

11. If due to illness some parts of the salaah are done sitting, but the rukuu' and sajdah are done normally, then one recovered during the salaah, complete this salaah standing.

12. If due to sickness one does not have the strength to do rukuu' and sajdah, and does rukuu' and sajdah with signs or head movements. After performing some part of the salaah, one becomes enabled to do normal rukuu', the salaah becomes void and must not be completed. It must be done all over again.

13. If one becomes paralysed, and becomes so ill that istinjaa cannot be done with water, then use a cloth or earth clods, and in this

manner perform salaah. If tayammum cannot be done, then have it done with the assistance of another. If there is no strength to cleanse with a cloth or earth clods, then too salaah should not become a qadaa. Perform salaah in that state (without wuduu or tayammum). It is not permissible for others to see or to clean a person's body, even if it is one's mother, son or daughter. Certainly a wife may see (the private parts of) her husband, and the husband his wife's. Besides this, it is not permissible (to see the private parts of others).

14. While one was healthy, some salaah became qadaa, but afterwards one becomes ill. During the state of illness whatever strength one has to perform salaah, one's qadaa should be performed. One should not procrastinate, and think that when strength is regained to stand, then qadaa will be performed, or when one is able to sit and the strength to perform rukuu' and sajdah is regained, qadaa will be performed. Qadaa should be done soonest and not delayed.

15. If the bed of a sick person is najis (unclean) and there is great difficulty in changing it, then it will be permissible (for the sick person) to perform salaah on it.

16. If a hakiim (or surgeon, physician) treated one's eyes and ordered one not to move or walk, then do salaah lying down.

17. If a person, because of the length of a qiraa-ah (recital), becomes tired and begins to experience difficulty, it is not makruuh for the person to lean against a wall, tree or staff (stick). Generally, weak and old people may need to do this in taraawiih salaah.

The salaah of the musaafir

1. If a person travels one or two manzils (less than 77 kms) then this journey does not change any of the laws of sharii'ah (for the traveller), because according to the rules of the sharii'ah this person is not a musaafir (traveller). Such a person should do all acts that one normally does at home. Four rak'ah salaah should be performed and if khuffs (leather socks) are worn, it is valid for only one day and night, thereafter mas-h is not valid.

2. If one intends to travel three manzils (77 kms - 48 miles), then according to the rules of sharii'ah, one is a musaafir. When leaving

the outskirts of the town, one becomes a musaafir according to the sharii'ah. When one is still within the habitation of the town, one is not yet a musaafir. If a railway station is within the built-up area it will be regarded as part of the town. If it lies outside the town, a person becomes a musaafir on reaching it.

3. Three manzils is that distance which most people normally reach after walking three days. In India, where one does not have to traverse seas and mountains, it is about 77kms (48 miles).

4. If a certain place is so far that in terms of the distance covered by a camel or a man, the distance is three manzils, but because of travelling on a very fast animal one reaches it in two days, or travels by rail and reaches the destination in a short while, then too according to sharii'ah one is a musaafir.

5. One who according to the sharii'ah is a musaafir, should only perform two rak'ahs of the zuhr, 'asr and 'e-shaa fard salaah. The rule for the sunnahs is that if one is in a hurry, then besides fajr the sunnah of other salaahs may be left out. Leaving out these sunan (pl. of sunnah) is not a sin. If one is not in a hurry or does not fear becoming separated from one's companions, then do not leave out the sunan. During safar (travel), perform the full rak'ahs of sunnah. There is no excuse not to.

6. There are no concessions as regards the fajr, maghrib and witr salaah. As always, these (salaah) must be done in the same (normal) manner.

7. Do not perform more than two rak'ahs in the zuhr, 'asr and 'e-shaa salaah (during safar - travels). Performing four rak'ahs is a sin.

8. If one forgot and performed four rak'ahs (while being a musaafir), then if at-tahiyyaat had been recited in the second rak'ah, then two rak'ahs fard have been fulfilled, the other two rak'ahs will become nafl, and sajdah sahw will have to be done. If one did not sit after the two rak'ahs, all the rak'ahs will be nafl. Perform the fard again.

9. If a musaafir stops en route and the niyyah (intention) is to stay for less than fifteen days, the person remains a musaafir. Two rak'ahs will be performed for a four rak'ah fard salaah. If the niyyah is to stay for fifteen or more days, one will not remain a musaafir. If the niyyah

is changed and the intention is to leave before fifteen days, then too the person will not be a musaafir. The full salaah (rak'ahs) must be performed. When leaving and the intended place is three manzils (77 kms - 48 miles) away, one will again be a musaafir. If the distance is less, one will not be a musaafir.

10. If a woman left home with the niyyah of travelling four manzils (aprroximately 104 kms), but during the first two manzils (approximately 52 kms) she is in a state of hayd, she is not a musaafir. She will do ghusl and do the full rak'ahs (of fard). Certainly, after becoming clean from hayd she reaches her destination which is three manzils, or when leaving home, she was clean (not in the state of hayd), and on the way her hayd began, she will be a musaafir. After becoming clean she will perform the salaah of a musaafir.

11. If, while doing salaah, niyyah is made to stay for fifteen days, one does not remain a musaafir. This salaah (which one is performing) will have to be performed fully (four rak'ahs instead of two).

12. One had to stay over a few days on the way, but things happened which made one stay longer. If niyyah is made every day to leave tomorrow or the day after tomorrow, but one does not leave. In this manner one stays for fifteen or twenty days, or a month, or more but niyyah for fifteen days was never made. Then too one remains a musaafir, irrespective of how many days were spent in this manner.

13. One left with the intention of (travelling) three manzils (77 kms - 48 miles). After going a distance, for some reason one changes one's intention and returns home. From the time the intention was made to return, one does not remain a musaafir.

14. A wife (travels) with her husband. On the way, for as long as he stops, she will also stop. She cannot stop for a longer period. In such a situation, the niyyah of the husband will be relied on. If the husband intends to stay for fifteen days, then the woman too will not remain a musaafir, whether she makes niyyah of staying or not. If the husband intends to stay for a shorter period, the woman too will be a musaafir.

15. After travelling three manzils, one reaches a certain place. If that place is one's home, one does not remain a musaafir, whether one stays for a short or long period. If it is not one's home, and one makes

the niyyah of stopping for fifteen days, then too one does not remain a musaafir. Now the salaahs should be performed in full. If the place is not one's home, nor is there any intention of staying for fifteen days, then one will be a musaafir after reaching it.

16. The intention is made to stop at many places on the way. Ten days here, five days there. If it is not intended to stop for fifteen days anywhere, then too one remains a musaafir.

17. One left one's home town permanently and made a home in another place and began to live there. If no interests remain in the former town or home, then the new town and any other place become one's home. When travelling, if the former town is passed, and one stays for a few days, one remains a musaafir.

18. If the salaah of someone become qadaa while on safar, then upon reaching home only two rak'ahs qadaa of zuhr, 'asr and 'e-shaa must be made. If before commencing safar, zuhr salaah became qadaa, then during safar, qadaa of these four rak'ahs should be made.

19. If after marriage a woman stays permanently with her (husband or) in-laws, then her residence is that of the in-laws. If she travelled three manzils to visit her parents and does not intend to remain for fifteen days, she remains a musaafir. She must do salaah and saum according to the rules of safar. If staying (with the in-laws) permanently was not in her heart, then the place that was originally her watan (home-town), still remains her watan.

20. If a boat sails on the seas, and the time for salaah appears, salaah should be done on that boat. If dizziness is felt while standing, sit and do salaah.

21. The same rules apply for performing salaah on a train. It is correct to do salaah in a moving train. If dizziness is felt when performing salaah, or it is feared that one will fall, then sit and do salaah.

22. If while performing salaah the train makes a turn, and the direction of the qiblah changes, turn in the salaah and face the qiblah.

23. When a woman has to travel the distance of three manzils (77 kms - 48 miles), and a male from among her mahrams or her husband does not accompany her, it will not be correct for her to make safar.

To travel with a non- mahram is a great sin. Even if she has to travel one or two manzils (approximately 52 kms) it is better to go with her mahram.

24. It is not correct to travel with a mahram who does not fear Allaah and His Rasuul, nor adheres to the sharii'ah.

25. If a woman is so ill, she is allowed to do salaah in a sitting posture, it is not correct for her to do salaah in a moving conveyance. Also until the horse etc. is not disengaged and separated, it is not correct to do salaah in the conveyance. The same rule applies to a paalkii (palanquin).

26. If by dismounting from a camel etc., there is danger of loss of life or property, then it is permissible to do salaah without dismounting.

Further masaa-il regarding salaah during travel

1. The iqtidaa (following) of a muqiim (resident) behind a musaafir (traveller) imaam is correct, whether the salaah is a-daa (done on its time) or qadaa (done after the time has lapsed). After the musaafir imaam performs two rak'ahs and makes salaam, then the muqiim muqtadii must stand and complete his salaah. Qiraa-ah (recital of the Qur-aan) must not be done, but stand silently because he is a laahiq (one who joined the salaah when it commenced). The first qa'dah (sitting), because of following the imaam, is fard on this muqtadii. It is mustahab for the musaafir imaam, to immediately after making salaam, to inform his muqtadiis that he is a musaafir. It is most preferable that a musaafir imaam also informs the muqtadiis of his being a musaafir before the salaah commences.

2. A musaafir can make iqtidaa of a muqiim imaam within the prescribed time. When the time has passed, he can follow the imaam in fajr and maghrib, but not in zuhr, 'asr and 'e-shaa.

3. If a musaafir, during the course of salaah makes the niyyah of becoming a muqiim, then whether it is in the first, middle or end part of the salaah, it will not be permissible for him to do qasr in that salaah. He must complete four rak'ahs as long as the niyyah is made prior to the salaam or the sajdah sahw.

4. When a person commences safar (travel) from one's watan (home town), it is mustahab to do two rak'ahs at home. When returning from safar, first go to the masjid and do two rak'ahs, then come home. Its virtues are mentioned in the hadiith.

The performing of qadaa salaah

1. When one misses a salaah, then on remembering, do qadaa immediately. To delay qadaa without reason is a sin. One whose salaah had become qadaa and who does not do it immediately, and leaves it for some other time or the next day, or says "I will do it on a certain day" and unexpectedly dies before that day, it will be a double sin: one for letting the salaah becoming qadaa and the other for delaying the qadaa.

2. When many salaahs of a person become qadaa, then do qadaa of all the salaah. Do all the qadaa at the same time. If salaah of many days, months or years are qadaa, then too, hasten in doing qadaa. At every salaah time, do two or four qadaa salaah. If for some reason or other, it is not possible, then at least do one qadaa salaah at every salaah time. This is the least one should do.

3. There is no fixed time for qadaa salaah. Whenever there is time, do wuduu and do the qadaa salaah, remembering that it must not be in the makruuh times.

4. If only one salaah had become qadaa, and before this no salaah had become qadaa, or previously salaah had become qadaa, but qadaa of it had been done and only qadaa of this last salaah is left. Then, the qadaa of this salaah must first be done, thereafter any other salaah. If qadaa of any other salaah is done before this, it will not be correct. The qadaa should be done first, then the salaah repeated. If doing of the qadaa was not remembered, and totally forgotten, then the a-daa (done timeously) salaah will be correct. Now, when it is remembered, only the qadaa must be done. The a-daa must not be repeated.

5. When time is very short, such that if the the qadaa is done first,

time for the a-daa salaah will not remain. Then first do the a-daa then the qadaa salaah.

6. When two, three, four or five salaahs have become qadaa, and apart from these there are no other qadaa salaahs, or during one's life since becoming baaligh (reaching the age of puberty) no salaah had become qadaa, or that all salaah that had become qadaa had been done, then until the qadaa of all these missed salaah is not done, the a-daa salaah will not be correct. When doing qadaa of these salaah, do it in this manner that the qadaa of the first salaah missed is done first. Thereafter the remaining salaah will be in its proper sequence. The qadaa will not be correct if not done in the proper sequence and will have to be repeated in its proper sequence.

7. If six (or more) salaahs have become qadaa, then it will be permissible to do an a-daa salaah before completing the qadaa salaah. After doing qadaa of these six (or more) salaah, it is not waajib to first do qadaa of a missed salaah, before doing an a-daa salaah. If desired, first do the qadaa, or first do the a-daa. Both are permissible. In this case it is not waajib to do salaah in sequence.

8. If someone had to do qadaa of six or more salaah, it was not waajib to do its qadaa in its proper sequence. But, one had done all the qadaa in units of one or two salaahs. No qadaa is outstanding. Now, if one to five salaah are missed, qadaa will have to be done in the proper sequence of the missed salaah. Without first doing qadaa of these missed salaah,doing an a-daa salaah will not be correct. Surely, if six salaah had become qadaa, doing qadaa according to its proper sequence does not remain. Doing a-daa salaah without first completing the qadaa is permissible.

9. If witr salaah had become qadaa, and besides witr no other salaah has become qadaa, then without first doing qadaa of witr, it is not permissible to do the fajr. Despite witr being missed, it was not remembered and therefore qadaa was not done first, and fajr salaah was done. The qadaa of witr must be done first, then the fajr repeated.

10. A person performed 'e-shaa salaah only and slept. Then at

the time of tahajjud, got up, did wuduu, tahajjud and witr salaah. In the morning it is remembered that the 'e-shaa salaah was mistakenly done without wuduu. Now only qadaa of the 'e-shaa salaah should be repeated and not the witr.

11. Qadaa is only done for fard and witr. No qadaa of sunnahs are done. If the fajr salaah became qadaa, and if qadaa is done before the afternoon (of that day), do qadaa of both the sunnah and fard.

12. If the time for fajr salaah is very short and as a result only the fard salaah were done and sunnahs left out, it is preferable that after the sun has risen, qadaa of the sunnah be done. It should however only be done before noon (of that day).

13. One who did not keep up the salaah made taubah (repented). It becomes waajib to do all salaah that had become qadaa during the person's lifetime. Making taubah does not exempt or absolve one from the missed salaah, although the sin of not having done salaah (on its proper time) is forgiven. If qadaa of the missed salaah is not done, sin will be committed again.

14. If some salaahs had become qadaa and the person did have the occasion to do qadaa, then it is waajib to make wasiyyah (testament) for the fidyah (atonement, ransom) of the missed salaah. If not, it will be a sin. The fidyah for salaah In-Shaa-Allaah will be mentioned in the chapter on the fidyah of saum (rozah, fast).

15. When the salaah of some people (a group) becomes qadaa at a certain time, then they should do the qadaa with jamaa'ah (congregation). If it is a salaah wherein qiraa-ah (recital) is done audibly, qiraa-ah must be done audibly, and silently for a salaah wherein qiraa-ah is done silently.

16. A non-baaligh child after doing 'e-shaa salaah, goes to sleep and on waking up after the sun rises, discovers some traces of manii (sperm) on his clothes, from which is known that he had experienced a wet-dream and became baaligh. The accepted view of the majority is that is that he must repeat the 'e-shaa salaah. If he got up before sunrise and found traces of manii, then the general consensus of the 'ulamaa is that qadaa must be done.

Salaatul isti-khaa-rah

1. When one intends to do something, first seek the counsel of Allaah Ta'aalaa. This is called isti-khaa-rah (which literally means to "ask Allaah for well-being, goodness"). We have been greatly exhorted to do so in the hadiith. Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, has said, "Not seeking the counsel of Allaah and not doing isti-khaa-rah is a sign of ill fortune." When a proposal of marriage is made; or to whom should one get married; or whether a journey should be undertaken; or some work etc. done; it should not be done without isti-khaa-rah. In-Shaa-Allaah one will never be sorry for having done this devotion.

2. The manner of doing salaah of isti-khaa-rah is that one should first do two rak'ahs nafl and then in all earnestness and humility make du'aa:

اَللّٰهُمَّ إِنِّي اَسْتَخِيرُكَ بِعِلْمِكَ ، وَأَسْتَقْدِرُكَ بِقُدْرَتِكَ ، وَأَسْئَلُكَ مِنْ فَضْلِكَ
الْعَظِيمِ ، فَإِنَّكَ تَقْدِرُ وَلَا أَقْدِرُ ، وَتَعْلَمُ وَلَا أَعْلَمُ ، وَأَنْتَ عَلَّامُ الْغُيُوبِ ،
اَللّٰهُمَّ إِنْ كُنْتَ تَعْلَمُ أَنَّ هٰذَا الْأَمْرَ خَيْرٌ لِّي فِي دِينِي ومَعَاشِي وَعَاقِبَةِ أَمْرِي
، فَاقْدُرْهُ لِي ، وَيَسِّرْهُ لِي ، ثُمَّ بَارِكْ لِي فِيهِ ، وَإِنْ كُنْتَ تَعْلَمُ أَنَّ هٰذَا الْأَمْرَ
شَرٌّ لِّي فِي دِينِي وَمَعَاشِي وَعَاقِبَةِ أَمْرِي فَاصْرِفْهُ عَنِّي ، وَاصْرِفْنِي عَنْهُ ،
وَاقْدُرْ لِيَ الْخَيْرَ حَيْثُ كَانَ ، ثُمَّ أَرْضِنِي بِهِ

Al-laa-hum-ma in-nii as-ta-khii-ru-ka bi-'il-mi-ka, wa-as-taq-di-ru-ka bi-qud-ra-ti-ka, wa-as-a-lu-ka min fad-li-kal 'a-zii-mi, fa-in-na-ka taq-di-ru wa-laa aq-di-ru, wa-ta'-la-mu wa-laa 'aa-la-mu, wa-an-ta 'al-laa-mul ghu-yuu-bi, al-laa-hum-ma in kun-ta ta'-la-mu an-na haa-dhal am-ra khay-rul lii fii dii-nii, wa-ma-'aa-shii wa-'aa-qi-ba-ti am-rii, faq-dur-hu lii, wa-yas-sir-hu lii, thum-ma baa-rik lii fii-hi, wa-in kun-ta ta'-la-mu an-na haa-hal am-ra shar-rul lii fii dii-nii wa-ma-'aa-shii, wa-'aa-qi-ba-ti am-rii, fas-rif-hu 'an-nii, was-rif-nii 'an-hu, waq-dur li-yal khay-ra hay-thu kaa-na thum-ma ar-di-nii bi-hi.

O Allaah through Your great knowledge I seek goodness from You and through Your mighty power, I seek strength from You, and I beg Your great bounty from You. For verily You are the possessor of great might and I have none. And You know and I know not and You are the great knower of the unseen. O Allaah if You know that this affair will be beneficial for me in my religious as well as in my worldly life, and for my final end, then let it be destined for me, make it easy for me and grant me Your blessings therein. And if You know that this affair will be harmful to my religious as well as my worldly life and for my final end, then turn it away from me and turn me away from it and grant me Your favours wherever they are and make me satisfied with it. Aa-miin.

When reaching the words 'haadhal amra', at that moment, the affair should be recalled for which the isti-khaa-rah is being done. Thereafter, with wuduu sleep on a taahir (clean) bed facing the qiblah. On waking, that which is uppermost and firm in the heart will be best and should be carried out.

3. If after one day nothing can be decided upon, and anxiety and indecision still remain, repeat the procedure the next day. In this manner do isti-khaa-rah for seven days. In-Shaa-Allaah the pros and cons of this affair will certainly come to mind.

4. If going on hajj, the isti-khaa-rah should not be whether one is going on hajj or not. One should do isti-khaa-rah concerning travelling on a certain day or not.

Salaatul khauf

When an enemy is about to be confronted, whether it is a human, ravenous beast, or some serpent etc. ,all or only a few Muslims should get together so that salaah may be done with jamaa'ah. If riders cannot get off their conveyances, then all riders, while mounted, should individually do salaah with i-shaarah (sign). To face the qiblah at that time is not a shart (compulsory prerequisite). If two people are mounted on one animal, both should make jamaa'ah. If there is no

time (respite) they are excused and salaah should not be done. After tranquility returns qadaa should be made. If it is possible for a few to do salaah with jamaa'ah, although all cannot participate, the jamaa'ah should not be abandoned. According to this, salaah should be done, e.g., all Muslims must be divided into two groups with one group doing the complete salaah with one imaam, then going to confront the enemy, thereafter the second group makes another person an imaam and does the complete salaah.

Salaah of taubah and salaah of one to be executed

1. When any act against the sharii'ah has been committed, do two rak'ah nafl salaah and in all humility and earnestness make excessive taubah (repentance) and feel sorrow and grief for the evil act committed, and seek forgiveness from Allaah Ta'aala. Make a firm intention and commitment never to repeat that act again. With Allaah's grace, the sin will be forgiven.

2. When a Muslim is to be executed, it is mustahab to do two rak'ahs (nafl) salaah and to make du'aa begging Allaah's forgiveness for sins committed. This salaah and repentance should be the last deed of one's earthly life.

3. Once Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, sent some qaariis (Qur-aanic teachers) from among his As-haab, (sahaabah, companions), radiyallaahu 'anhum, to teach the Qur-aan Majiid somewhere. Along the way the kuffaar (non-believers) from Makkah captured them. Except Sayyidinaa Khubayb, radiyallaahu 'anhu, all were martyred. Sayyidinaa Khubayb, radiyallahu 'anhu, was taken to Makkah and was martyred with great fanfare. When he was about to be martyred he sought permission to do two rak'ahs salaah. From that time onwards this salaah has become mustahab.

Salaatul kusuuf and khusuuf

1. At the time of kusuuf (solar eclipse), it is sunnah to do two rak'ahs salaah.

2. Salaatul kusuuf may be done with jamaa'ah provided that the

imaam is the jumu'ah imaam or the (Islaamic) ruler or his deputy. According to a narration, every imaam may lead the salaatul kusuuf of his masjid.

3. There is no a-dhaan nor iqaamah for the salaatul kusuuf, and if it is necessary for the people to get together, "As-salaatu Jaami'ah" may be called out.

4. It is sunnah in salaatul kusuuf to recite very long suurahs, like Suurah Baqarah etc. and to do long rukuu' and sajdahs. The qiraa-ah should be recited softly.

5. After the salaah, the imaam should engage in du'aa. All the muqtadiis should say "aa-miin" ("O Allaah accept"). While the eclipse continues du'aa should be engaged in. In this state if the sun sets or the time for a salaah comes, the du'aa should be stopped and (fard) salaah done.

6. At the time of khusuuf (lunar eclipse), it is also sunnah to do two rak'ahs, but it is not sunnah to do it with jamaa'ah. Everyone should do it individually in their homes.

7. Whenever any fear or calamity comes over people, it is masnuun (sunnah) to do salaah. For example, when a very strong hurricane blows, or an earthquake takes place, or severe lightning strikes, or a star or comet strikes, or a severe hail-storm falls, or a cloudburst occurs, or an epidemic of cholera or influenza befalls people, or when an attack by some enemy is feared, at such times it is sunnah to do two rak'ahs. Salaah done at such times should not be with jamaa'ah. Every person should do salaah individually at home. Whenever Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, experienced any difficulty or sorrow, he engaged in salaah.

The salaah of jumu'ah

There is nothing that Allaah loves more than salaah. For this reason there is no other act which the sharii'ah has emphasised more and expounded its virtues. The sharii'ah has fixed one such day in the week for the Muslims on which various localities and villages gather and do this 'ibaadah (worship). Since the day of jumu'ah is the most auspicious and virtuous day of the week, this 'ibaadah has been devoted for this special day.

Virtues of jumu'ah

1. Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, has said: "Of all the days (of the week) Friday is the most auspicious."

2. Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, has said: "On the day of Friday there is one such moment wherein any du'aa which a Muslim supplicates for is accepted." Shaykh 'Abdulhaq Muhaddith of Delhi has written in the "Safarus Sa'aadat" and has given preference to two views:

One moment is from when the khutbah begins till the salaah ends.

The other moment is at the end of the day. The second view has been chosen by a large group (of 'ulamaa). Many sahiih ahaadiith support this view. Shaykh Dehlawii says this riwaa-yah (narration) is sahiih (authentic, correct), and Ummunaa Sayyiditinaa Faatimah, radiyallaahu 'anhaa, used to command her maid on Fridays to inform her when the day was ending, so that she may engage in du'aa.

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, has said: "Jumu'ah is the most virtuous day. On this day send excessive salawaat (duruud) on me. It is presented to me on the same day." The sahaabah, radiyallaahu 'anhum, said, "O Rasuulullaah, how will it be presented to you, when after death your bones will not remain?" Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, replied, "Allaah has prohibited the earth forever from consuming the bodies of the ambiyaa (prophets)."

Aa-daab (etiquettes) of jumu'ah

1. It is necessary for every Muslim to prepare for jumu'ah on Thursday. After 'asr on Thursday make excessive istigh-faar, etc. Clean and prepare clothing. If there is no 'itr (fragrance) in the house, then acquire it that day and keep it, so that one does not have to get busy in acquiring these things on the day of jumu'ah.

2. Do ghusl (sunnah bath) on the day of jumu'ah. Thoroughly clean the hair of the head and the body. Using the miswaak on this day has great virtues.

3. After ghusl on the day of jumu'ah, one should dress in one's best of clothes. If possible, apply 'itr (fragrance). Pare the nails, etc.

4. Go to the jaame' masjid very early. The earlier a person goes to the masjid, the greater will be the reward.

5. Going to jumu'ah on foot attains for every step a reward similar to having fasted for a year.

6. Great reward is received for the recitation of Suurah Kahf either before or after jumu'ah.

The virtues of the salaah of jumu'ah

The jumu'ah salaah is a fard 'ayn (personal obligation). It has been established in the Qur-aan Majiid, mutawaatir (irrefutable) hadiith and the general consensus of the ummah. It is one of the great sha'aa-ir (signs, symbols) of Islaam. One who denies (its being compulsory) is a kaafir, and the one who leaves it (without a valid excuse) is a faasiq.

1. "When the a-dhaan is being called for jumu'ah, then hasten to the dhikr of Allaah and suspend trading. "This is better for you if you but knew." - Suurah Jumu'ah, 9. The dhikr referred to here is the jumu'ah salaah and its khutbahs. Where the verse encourages one to "hasten", it means go with all precaution and preparation.

2. Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, said, "Allaah puts a seal upon the heart of the one who fails to attend three jumu'ah, if due to laziness e.g., without a valid excuse."

Conditions which make jumu'ah waajib

1. To be muqiim, i.e., not a musaafir, because jumu'ah is not waajib upon a musaafir.

2. To be of sound health. Jumu'ah is not waajib upon the sick, or upon one who has a sickness which prohibits him from going for jumu'ah on foot. Also one who, because of extreme old age, has become so weak that he is unable to go to the masjid, or is blind. Such people will be considered ill. On them jumu'ah is not waajib.

3. To be a free man because jumu'ah is not waajib on a slave.

4. To be a male. Jumu'ah is not waajib on a female.

5. To be free from excuses which exempts one from the obligation of attending jamaa'ah salaah, which has been mentioned already. If any one of these excuses is present, jumu'ah is not waajib. If one on

whom any of these excuses is present, does jumu'ah, the jumu'ah is correct. In other words, the obligation to do the fard of zuhr will not remain. If a musaafir or a woman does jumu'ah, they will be exempted from zuhr.

The shuruut (compulsory prerequisites) for the correctness of jumu'ah

1. Jumu'ah is correct in a town or large village. It is not correct in a small village or in the jungle (open, unpopulated areas). If the population of a village is that of a small town, for example three to four thousand, jumu'ah will be correct.

2. It must be done during the time of zuhr. Hence it may not be done before the time of zuhr sets in, nor after it has ended. If the time of zuhr expires while doing jumu'ah, the salaah becomes faasid, even though the period of tashahhud had been recovered in the last qa'dah. For this reason no qadaa of the jumu'ah is done.

3. To deliver the khutbah, i.e., to convey to the people the dhikr (remembrance) of Allaah.

4. The khutbah shall be delivered before the salaah. If the khutbah is delivered after the salaah, the salaah will not be valid.

5. The khutbah should be delivered during the time of zuhr. If the khutbah is delivered before the time for zuhr, the salaah will not be valid.

6. Jumu'ah should be done publicly with permission for all to attend. It is not correct to do jumu'ah in a secret place. If jumu'ah is done at such a place where all are not permitted access, or the doors of the masjid are closed (locked), the salaah will not be valid.

The khutbah

1. When all the people have arrived in the masjid, the imaam should sit on the mimbar and the mu-adh-dhin must call out the a-dhaan. After the a-dhaan, the imaam should immediately commence delivering the khutbah.

2. Eight things are masnuun (sunnah) in the khutbah:

1. The khatiib should stand and deliver the khutbah.

2. Two khutbahs should be delivered.
3. The khatiib should sit between the two khutbahs for as long as it takes to recite "subhaanallaah" thrice.
4. The khatiib should be free of both hadath.
5. While delivering the khutbah, he should face the people.
6. Before commencing the khutbah he should softly recite: "A-'oo-dhu billaahi minash-shaytaa-nir-rajiim."
7. To deliver the khutbah so that people can hear.
8. The khutbah should consist of the following eight items:

a. Thank Allaah.
b. Praise Allaah.
c. Affirm the Oneness of Allaah.
d. Testify that Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, is the Nabii of Allaah.
e. Send Salawaat on Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam.
f. Admonish and advise the people.
g. Recite verses or a suurah from the Qur-aan and repeat the above in the second khutbah.
h. In the second khutbah, instead of commanding the doing of good and avoiding of evil, make du'aa for the Muslim ummah.
i. The khutbah should not be lengthened, but should be shorter than the salaah.
j. Deliver the khutbah from a mimbar. If there is no mimbar, the hand should be placed on a staff and the khutbah delivered standing. Placing one hand on the other has not been narrated (in the sunnah).
k. Both khutbahs should be in Arabic. (To deliver the khutbah in another language, or add poetic or other lines in any other language is contrary to the sunnah mu-akkadah and is makruuh tahriimii.)
l. The listeners should sit facing the qiblah. It is mustahab in the second khutbah to supplicate for the family of

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, the azwaaj mutahharaat (the pure wives of Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam), the Khu-lafaa Raashi-duun (the four righteous guided khaliifahs-caliphs), Sayyidinaa Hamzah, Sayyidinaa 'Abbaas, radiyallaahu 'anhum, etc. It is also permissible to supplicate for the Islaamic ruler.

3. When the imaam rises to deliver the khutbah it is, makruuh tahriimii for anyone in the assembly to do salaah or to talk. However, it is permissible and waajib for one who is saahib tartiib (one who has missed a few salaahs), to peform qadaa salaah.

4. When the khutbah begins it is waajib upon all present to listen to it, whether they are in the immediate vicinity of the imaam or away from him. Any such act which interferes with listening is makruuh tahriimii. At such a time it is prohibited to eat, drink, talk, walk around, greet or answer a greeting, recite tasbiih, or give an answer to a query about some shar'ee matter, etc. As these are prohibited in salaah, they are also prohibited during khutbah. It is permissible for the khatiib to explain a shar'ee ruling to someone during the khutbah.

5. While doing sunnah or nafl salaah, if the khutbah commences, one should complete a sunnah mu-akkadah, and make salaam after completing two rak'ahs of a nafl salaah.

6. It is makruuh tahriimii for the imaam or the muqtadiis to lift their hands and make du'aa while the imaam sits between the two khutbahs. The custom of delivering a farewell khutbah on the last jumu'ah of Ramadaan has not been reported from Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, or his sahaabah, radiyallaahu 'anhum.

7. It is permissible to recite the khutbah from a book, etc.

8. When the name of Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, is mentioned in the khutbah it is permissible for the muqtadiis to say the salawaat (duruud) silenty in the heart.

The jumu'ah khutbah of Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam

The reason for quoting the khutbah of Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, is not that people should consider its

recitation as being compulsory. They should recite this khutbah occasionally for the sake of gaining blessings and by way of following his righteous footsteps. It was the habit of Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, that when people gathered, he arrived and greeted the people. Sayyidinaa Bilaal, radiyallaahu 'anhu, would call out the a-dhaan. After the a-dhaan Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, immediately rose and delivered the khutbah. Before the mimbar began to be used, he leaned on a stick, and at times he leaned on the wooden pillar near the mihraab. After the mimbar was introduced, there is no report that he leaned on a staff, etc. He delivered two khutbahs and sat for a short while in between. He did not say anything nor made du'aa at this moment. After completing the second khutbah, Sayyidinaa Bilaal, radiyallaahu 'anhu, said the iqaamah. Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, commenced the salaah. Many a time in the khutbah he said, "Bu-ith-tu a-na was-saa'ah ka-haatayn" ("I and the hereafter have been sent like these two"), i.e., joining together the middle and shahaadah fingers, and thereafter said.

أَمَّا بَعْدُ ، فَإِنَّ خَيْرَ الْحَدِيثِ كِتَابُ اللهِ وَخَيْرَ الْهَدْيِ هَدْيُ مُحَمَّدٍ ، وَّشَرَّ الْأُمُورِ مُحْدَثَاتُهَا ، وَكُلَّ بِدْعَةٍ ضَلَالَةٌ ، أَنَا أَوْلَى بِكُلِّ مُؤْمِنٍ مِّنْ نَفْسِهِ ، مَنْ تَرَكَ مَالًا فَلِأَهْلِهِ وَمَنْ تَرَكَ دَيْنًا أَوْ ضِيَاعًا فَعَلَيَّ.

Verily the best of conversation is the Book of Allaah. And the best path is that of Muhammad (salallaahu 'alayhi wasallam). And the worst of deeds is innovation in the diin, for through it people go astray. I am nearer to the believers than their own selves. Whosoever leaves behind any wealth, it shall be for one's family, and whosoever leaves a debt or offspring, I am its guarantor.

Sometimes he would say this in the khutbah:

يَا أَيُّهَا النَّاسُ ، تُوبُوا قَبْلَ أَنْ تَمُوتُوا ، وَبَادِرُوا بِالْأَعْمَالِ الصَّالِحَةِ ، وَصِلُوا الَّذِي بَيْنَكُمْ وَبَيْنَ رَبِّكُمْ بِكَثْرَةِ ذِكْرِكُمْ لَهُ ، وَكَثْرَةِ الصَّدَقَةِ بِالسِّرِّ وَالْعَلَانِيَةِ تُوجَرُوا وَتُحْمَدُوا وَتُرْزَقُوا ، وَاعْلَمُوا أَنَّ اللهَ قَدْ فَرَضَ عَلَيْكُمُ الْجُمُعَةَ مَكْتُوبَةً فِي مَقَامِي هذا فِي شَهْرِي هٰذَا فِي عَامِي هٰذَا إِلَى يَوْمِ الْقِيَامَةِ مَنْ وَّجَدَ إِلَيْهِ سَبِيلًا ، فَمَنْ تَرَكَهَا فِي حَيَاتِي أَوْ بَعْدِي جُحُودًا بِهَا وَاسْتِخْفَافًا بِهَا وَلَهُ إِمَامٌ جَائِرٌ أَوْ عَامِلٌ فَلَا جَمَعَ اللهُ شَمْلَهُ وَلَا بَارَكَ لَهُ فِي أَمْرِهِ ، أَلَا وَلَا صَلٰوةَ لَهُ ، أَلَا وَلَا صَوْمَ لَهُ ، أَلَا وَلَا زَكٰوةَ لَهُ ، أَلَا وَلَا حَجَّ لَهُ ، أَلَا وَلَا بِرَّ لَهُ ، حَتّٰى يَتُوبَ ، فَإِنْ تَابَ تَابَ اللهُ ، أَلَا تُؤْمِنُ إِمْرَأَةٌ رَجُلًا ، أَلَا وَلَا يُؤْمِنُ أَعْرَابِيٌّ مُهَاجِرًا ، أَلَا وَلَا يُؤْمِنُ فَاجِرًا مُؤْمِنًا ، إِلَّا أَنْ يَّقْهَرَهُ سُلْطَانٌ يَخَافُ سَيْفَهُ وَسَوْطَهُ

O people, repent before death overcomes you. Hasten towards good deeds. Repair the bonds between yourself and your Rabb through continuous remembrance of Him, and by giving charity abundantly both openly and secretly. Reward for it will be gained and you will be praised, and granted abundant sustenance. Verily, know that Allaah had made jumu'ah fard upon you in this place, in this month and this year until the day of judgment. This is for those who are capable of proceeding to it. Whosoever denies the jumu'ah during my lifetime or thereafter, and does not regard it as special, or disregards it due to having a tyrant or unjust ruler over him, Allaah will not rectify his condition, nor grant him blessings in his affairs. For him there will be no (acceptable) salaah, no fasting, no zakaah and no hajj. For him no righteous deed will be accepted until he repents. And when he repents Allaah will accept his repentance. Let it be known that no woman shall be an imaam for a man, and an a'-raabii (bedouin) for a muhaajir, a faajir (immoral) for a mu-min (righeous believer), except when a king or ruler is feared (who persecutes him), then it is another matter.

Sometimes after praising Allaah and reciting salawaat (duruud), he used to deliver this khutbah:

اَلْحَمْدُ لِلّٰهِ نَحْمَدُهُ وَنَسْتَعْفِرُهُ ، وَنَعُوذُ بِاللهِ مِنْ شُرُورِ أَنْفُسِنَا وَمِنْ سَيِّئَاتِ أَعْمَالِنَا ، مَن يَّهْدِهِ اللهُ فَلَا مُضِلَّ لَهُ ، وَمَن يُّضْلِلْ فَلَا هَادِيَ لَهُ ، وَأَشْهَدُ أَن لَّا إِلٰهَ إِلَّا اللهُ وَحْدَهُ لَا شَرِيكَ لَهُ ، وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ ، أَرْسَلَهُ بِالْحَقِّ بَشِيرًا وَّنَذِيرًا بَيْنَ يَدَيِ السَّاعَةِ ، مَن يُّطِعِ اللهَ وَرَسُولَهُ فَقَدْ رَشَدَ وَاهْتَدَى ، وَمَن يَعْصِهِمَا فَإِنَّهُ لَا يَضُرُّ إِلَّا نَفْسَهُ ، وَلَا يَضُرُّ اللهَ شَيْئًا.

(أبو داؤد وغيره)

All praise is only for Allaah. We praise Him and seek help from Him, and we seek refuge in Allaah from the evil of our selves and the evil of our deeds. Whosoever Allaah guides aright, non can lead astray. And whomsoever he allows to go astray, none can lead aright. And I bear witness that none is worthy of worship except Allaah. And I bear witness that Muhammad is His messenger, whom He has sent with truth as a bringer of good news and a warner, before the coming of the Hour. Whosoever obeys Allaah and His messenger, is on the right path of guidance. And whosoever disobeys them, has not harmed anyone except himself and he has not harmed Allaah in the least.

A sahaabii reports that Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, very often recited Suurah Qaaf in the khutbah, so much so that he learned Suurah Qaaf by heart from hearing it being recited. He also says that Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, sometimes recited Suurah Al-'asr and sometimes:

لَا يَسْتَوِي أَصْحَابُ النَّارِ وَأَصْحَابُ الْجَنَّةِ ، أَصْحَابُ الْجَنَّةِ هُمُ الْفَائِزُونَ

"The people of the fire and the people of the Garden (Jannah) are not equal. Only the people of the Garden are victories."
—Suurah Hashr 59, 20.

And sometimes he recited:

وَنَادَوا يَا مَالِكُ لِيَقْضِ عَلَيْنَا رَبُّكَ ، قَالَ إِنَّكُمْ مَاكِثُونَ

"And they will call: O Maalik! Let your Rabb put an end to us. He will say: You will remain here forever."
—Suurah Zukhruf 43, 77.

Further masaa-il regarding jumu'ah

1. It is preferable that the one who delivers the khutbah should also lead the salaah. If another leads the salaah, it is also permissible.

2. It is masnuun (sunnah) to commence the salaah immediately after having delivered the khutbah. It is makruuh tahriimii to do any worldly task in between. If the imaam has to go and do wuduu, or after delivering the khutbah the imaam remembers that he needed to do ghusl, then goes for ghusl, it is not makruuh, nor will it be necessary to repeat the khutbah.

3. Salaatul Jumu'ah shoul be done with this niyyah.

نَوَيْتُ أَنْ أُصَلِّيَ رَكْعَتِيَ الْفَرْضِ مِنْ صَلَاةِ الْجُمْعَةِ

Na-way-tu an u-sal-li-ya rak-'a-ti-yal far-di min sa-laa-til ju-mu-'a-ti.

I make niyyah to do the two rak'ah fard of the salaah of jumu'ah.

4. It is best if in every town all the people get together and do one jumu'ah in one masjid. It is also permissible to hold more than one jumu'ah in various masjids of a town.

5. If a masbuuq (one who joins the salaah late) joins the jumu'ah in the last (and only) qa'dah at the time of reciting at-tahiyyaatu or after a sajdah sahw, his joining the jamaa'ah is correct, and he needs only to complete the salaah of a masbuuq. There is no need to do zuhr.

6. Some people do zuhr after jumu'ah as a precautionary measure.

Since the belief of the people has become corrupted because of this, it should be completely prohibited. However, if some knowledgeable person because of a valid doubt wishes to do zuhr, he may do so without informing anyone thereof.

'Eiid salaah

1. The first day of the month of Shaw-waal is called 'eiidul fitr and the tenth day of Dhul-Hijjah is called 'eiidul ad-haa. Both these days are festival days of happiness in Islaam and on both days it is waajib to do two rak'ah salaah by way of thanksgiving. All conditions which are required for the correctness of jumu'ah to become waajib are necessary for the 'eiid salaahs. Besides in jumu'ah the khutbah is fard and a shart (compulsory prerequisite) and is delivered before the salaah. In the 'eiidayn (both 'eiids) it is not a shart but surmah and delivered after the salaah. However, to listen to the khutbah of the 'eiidayn (as in the case of jumu'ah) is also waajib. During this time talking, walking about, doing salaah etc., are all haraam.

2. Thirteen things are masnuun (sunnah) on the day of 'eiidul fitr:

a. Adorn oneself within the bounds of sharii'ah.
b. Ghusl.
c. Miswaak.
d. Wear the best of clothes one has.
e. Apply 'itr (fragrance).
f. Rise very early in the morning.
g. Proceed to the 'eiidgaah very early.
h. Eat something sweet like dates etc. before leaving home.
i. Give sadaqah fitr (fitrah) before going to the musallaa ('eiidgaah).
j. Do 'eiid salaah at the musallaa and not in the masjid of the town without a valid excuse.
k. Go (to the 'eiidgaah) along one path and return on another path.
l. Walk to the musallaa.
m. Repeat softly on the way:

اَللهُ أَكْبَرْ اَللهُ أَكْبَرْ لَا إِلٰهَ إِلَّا اللهُ وَاللهُ أَكْبَرْ اَللهُ أَكْبَرْ وَلِلّٰهِ الْحَمْدُ

Al-laa-hu ak-bar Al-laa-hu ak-bar, laa i-laa-ha il-lal-laa-hu wal-laa-hu ak-bar, Al-laa-hu ak-bar wa-lil-laa-hil hamd.

Allaah is Great Allaah is Great, none is worthy of worship but Allaah. And Allaah is Great, Allaah is Great and for Allaah is all praises.

3. The method of doing eiidul fitr salaah is:
First say the niyyah:

نَوَيْتُ أَنْ أُصَلِّيَ رَكْعَتَيِ الْوَاجِب صَلَاةَ الْعِيدِ الْفِطْرِ مَعَ سِتَّ تَكْبِيرَاتٍ وَاجِبَةٍ

Na-way-tu an u-sal-lii rak-'a-tay al-waa-jib, sa-laa-ta 'eii-dil fit-ri ma-'a sit-ta tak-bii-raa-tin waa-ji-ba-tin.

I make niyyah to do two rak'ahs waajib salaah for 'eiid together with six takbiirs.

Fold the arms and recite, Subhaana-kallaahumma... . Then say three times, "Allaahu Akbar" lifting the hands to the ears every time. After every takbiir, lower the hands to the sides. Between every takbiir there should be a pause wherein subhaanallah could be said thrice. After the third takbiir the hands should not be lowered but folded. After reciting A-'oodhu-billah... and Bismillaah... (softly), recite Suurah Faatihah and another suurah, then as normally done go into rukuu' and sajdah and then stand up. In the second rak'ah recite Suurah Faatihah and a suurah, then (before going into rukuu'), recite three extra takbiirs like in the first rak'ah. After the third takbiir, do not fold the arms but lower them to the sides, then saying the takbiir go into rukuu'.

4. In the salaah of the 'eiidayn, besides the normal takbiirs, it is waajib to say six extra takbiirs.

5. After the 'eiid salaah, two khutbahs should be delivered standing

on the mimbar. In between the two khutbahs sit and pause as is done in the jumu'ah khutbah.

6. The du'aa after the salaah of the 'eiidayn has not been reported from Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, nor the sahaabah or the taabi'een. However, since du'aa is a general sunnah after every salaah, du'aa after 'eiid salaah is also therefore sunnah.

7. Commence the khutbah of the 'eiidayn with takbiirs. In the first khutbah repeat "Allaahu akbar" nine times and in the second khutbah seven times.

8. The salaah for 'eiidul ad-haa is done in the same manner. All those things that are masnuun in the 'eiidul fitr are also masnuun in the 'eiidul ad-haa. The only differences are:

1. In the niyyah instead of 'eiidul fitr, 'eiidul ad-haa is mentioned.

2. At 'eiidul fitr it is sunnah to eat something before proceeding to the musallaa ('eiidgaah), in 'eiidul ad-haa it is not.

3. When going to the musallaa on 'eiidul fitr it is sunnah to recite the takbiir softly, on 'eiidul ad-haa it is repeated loudly.

4. It is masnuun to do salaah of 'eiidul fitr a bit late, whereas salaah of 'eiidul ad-haa is done early.

5. At 'eiidul fitr there is sadaqatul fitr and at 'eiidul ad-haa ud-hiyah (qurbaanii) is done after the salaah for one who has the means.

6. For both the 'eiid salaahs there is no a-dhaan nor iqaamah.

9. It is makruuh to do any other salaah before or after the 'eiid salaah at the venue where 'eiid salaah is done, on that day. However, after the 'eiid salaah one may come home and do nafl salaah, it is not makruuh, but before 'eiid salaah it is makruuh.

10. It is makruuh for women, and those who for some reason are not doing 'eiid salaah, to do nafl salaah before 'eiid salaah.

11. During the khutbah of 'eiidul fitr, the facts pertaining to sadaqatul fitr should be explained and in 'eiidul ad-haa the aspects of ud-hiyyah (qurbaanii) and the takbiirs of the days of tashriiq should be explained. It is waajib during the days of tashriiq to recite once after every fard salaah:

اَللهُ أَكْبَرْ اَللهُ أَكْبَرْ لَا إِلٰهَ إِلَّا اللهُ وَاللهُ أَكْبَرْ اَللهُ أَكْبَرْ وَلِلّٰهِ الْحَمْدُ

Al-laa-hu ak-bar Al-laa-hu akbar. Laa i-laa-ha il-lal-laa-hu wal-laa-hu ak-bar. Al-laa-hu ak-bar wa lil-laa-hil hamd.

This takbiir becomes waajib if the salaah is done with jamaa'ah and if it is in a town or village. The takbiir is not waajib for women and musaafirs (travellers), but if this person becomes a muqtadii of one on whom takbiir is waajib, then the takbiir becomes waajib on this muqtadii too. It is better if a munfarid (one who performs salaah alone), woman and musaafir say the takbiir after salaah. According to the saahibayn (i.e., Imaam Muhammad rahimahullaah and Imaam Abuu Yuusuf, rahimahullaah, the two most eminent students of Imaam Abuu Haniifah rahimahullaah) it is waajib upon all (munfarid, women and musaafir).

12. The takbiir should be recited from the fajr salaah of the day of 'Arafah (the 9th of Dhul Hijjah) until 'asr of the 13th day. In all, it applies to 23 salaahs, whereafter it is waajib to say the takbiir.

13. It is waajib to utter the takbiirs in an audible tone. Women should utter it softly.

14. The takbiir should be uttered immediately after the salaam.

15. Should the imaam forget to recite the takbiir, the muqtadiis should immediately do so and not wait for the imaam to commence the takbiir.

16. According to some 'ulamaa, it is waajib to say the takbiir after the salaah of 'eiidul ad-haa.

17. It is the general consensus that salaah of the 'eiidayn is permissible in various masjids of the same town.

18. If one failed to join the 'eiid salaah jamaa'ah and all the people had already performed it, then the person cannot perform it individually, as jamaa'ah is a shart (compulsory prerequisite) for its correctness. Similarly, if one had joined the salaah, and for some reason his salaah becomes faasid (void), he too cannot perform qadaa of that salaah, nor is it waajib on him. However, if some people join him, then qadaa becomes waajib.

19. If for any reason the 'eiid salaah could not be performed on the first day (of 'eiid), then 'eiidul fitr salaah may be performed on the second day and 'eiidul ad-haa salaah may be performed up to the twelfth of Dhul Hijjah.

20. Delaying the 'eiidul ad-haa salaah till the twelfth of Dhul Hijjah without an excuse will be correct, but is makruuh. If the salaah of 'eiidul fitr is delayed without any reason, the salaah is not valid at all.

21. During any of the 'eiid salaahs a person joins the imaam after the takbiirs were already said. If the person joins while the imaam is still in qiyaam (standing), then immediately after the niyyah say the takbiirs even though the imaam had already commenced the qiraa-ah. If he joined while the imaam is in rukuu' and is sure that if he says the takbiirs he can still join the imaam in rukuu', he should say the takbiirs and then go into the rukuu'. If it is feared that he will not be able join in the rukuu' (if the takbiirs are said), he should join the imaam in rukuu', and in the rukuu' instead of the tasbiih, he should say the takbiirs without lifting the hands. If the imaam rises from the rukuu' before he could complete all the takbiirs, he should rise with the imaam. He is absolved of the takbiirs which were left.

22. If one missed a rak'ah of the 'eiid salaah, then when he completes the salaah, first recite the qiraa-ah and then the takbiirs. If the imaam forgot to say the takbiirs and remembers it while in rukuu', he should say the takbiirs in the rukuu' and not go back to the qiyaam. If he returns to the qiyaam it is permissible and the salaah will not be faasid. But because of the large gathering, sajdah sahw should not be made.

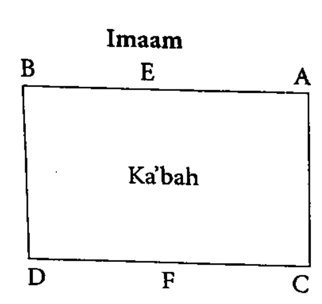
Salaah inside the Ka'bah

1. Just as it is correct to perform salaah outside the Ka'bah facing it, so it is also correct to perform salaah inside the Ka'bah. The qiblah will be faced, no matter which direction one stands inside it, because therein the qiblah is towards all four sides. Both fard and nafl salaah may be performed therein.

2. It is permissible to perform salaah alone inside the Ka'bah, and with jamaa'ah too. It is not a shart (compulsory prerequisite) that the imaam and muqtadiis face the same direction therein, because

all sides are qiblah. Verily it is a shart (compulsory prerequisite) that the muqtadii does not stand ahead of the imaam. If the muqtadii stands facing the imaam, salaah is correct, but makruuh, because it is makruuh to perform salaah facing anyone. If there is some partition or barrier in between, it is not makruuh.

3. If the imaam stands outside facing the Ka'bah, and the muqtadiis form circular lines around the Ka'bah, as is the general practice in Makkah Mukarramah, then on the side where the imaam stands, none should stand ahead of him. There is no harm if the muqtadiis stand nearer to the Ka'bah on the other three sides, in the following manner.



A B C D represents the Ka'bah. The Imaam is standing two meters from the Ka'bah, but E is standing on the side of the Imaam (nearer to the Ka'bah than the Imaam) while F is standing on the other side. This means that the salaah of E is incorrect while the salaah of F is correct.

The janaazah

1. When someone is about to die lay the person flat on the back and turn the legs towards the qiblah. Raise the head so that the person faces the qiblah. Sit near the dying person and repeat the kalimah tayyibah ("Laa ilaaha illal-laahu, Muhammadur rasuulullaah") loudly, so that on hearing it, the dying person will also recite it. Do not command the dying person to recite the kalimah, because it is a very difficult moment and it is not known what the dying person will utter.

2. When the dying person says the kalimah once, remain silent. Do not try to have the dying person repeat the kalimah until the soul departs. The object is only that the last thing uttered is the kalimah. It is not necessary that the kalimah be repeated. If after saying the kalimah something else is said, begin repeating the kalimah loudly again. If the dying person says it again, keep silent.

3. When a person begins to breath irregularly and hastily, and the legs become limp, and the person is unable to stand, and the nose becomes bent and the temples depressed, then understand that the person is dying. Begin repeating the kalimah loudly.

4. Reciting Suurah Yaasiin eases the pangs of death. Sit and recite the suurah at the side of the head or nearby, or have someone recite the suurah.

5. At the moment of death, do not discuss worldly affairs which will divert the dying person's mind to mundane things, because that is the moment of taking leave of this world and going into the presence of Allaah. Say things that turn the heart towards Allaah. Do not bring the wife, or children into the dying persons presence, nor discuss or say something beloved etc., that will distract the dying person. Leaving the world with love for it is "na-'oodhu billaah" (Allaah forbid) dying a bad death.

6. After a person has died, straighten the limbs. Tie a cloth around the head from under the chin around the top of the head so that the mouth does not remain open. The eyes should be closed. Tie both big toes together so that the thighs do not spread out. Cover the body with a sheet. As quick as possible prepare for ghusl and kafan.

7. While the face is bound and the eyes closed, recite:

بِسْمِ اللهِ وَعَلٰى مِلَّةِ رَسُولِ اللهِ (صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ)

Bis-mil-laa-hi wa-'a-laa mil-la-ti ra-suu-lil-laa-hi
(sal-lal-laa-hu 'a-lay-hi wa-sal-lam).

In the name of Allaah and on the diin of Rasuulullaah, (sallallaahu 'alayhi wasallam).

8. After death burn some lobaan (frankincense) or some other fragrance etc. by the mayyit (deceased person). A female in hayd or nifaas, and one in need of ghusl should not be present.

9. Until ghusl has not been given, the Qur-aan Majiid should not be recited near the body.

Ghusl of the mayyit

1. When all the kafan requirements are made ready and the ghusl (sunnah bath) is to be given, burn and fumigate (give smoke to) the platform with lobaan (frankincence) or agarbattii (incense sticks) etc. Pass the smoking lobaan etc. three, five or seven times around the platform. Place the mayyit (deceased person) on the platform and remove all clothing. Cover the portion between the navel and knees with a cloth.

2. If it is a special place for ghusl where water will flow away while washing, it is fine, if not, then dig a hole wherein all the water will flow (or place a huge container wherein the used water will be collected).

3. The method of ghusl is to first perform istinjaa (washing the private parts) of the mayyit in such a manner that the hands of the one washing do not touch the thighs or private parts of the mayyit, nor should they be looked at. A cloth (or a bag sewn of cloth) should be wrapped around the hand and everything under the cloth which covers the navel to the knees should be washed. Then perform wuduu for the mayyit. Do not rinse the mouth, nor put water into the nostrils. Do not wash the hands to the wrist. First wash the face, then the arms to the elbows, then do mas-h of the head with wet hands and then wash the feet. It is permissible to wet some cotton wool and wipe the teeth and to insert a wetted cotton wool into the nostrils three times. If the mayyit died in a state of impurity or hayd or nifaas, it is necessary to wet the the mouth and nostrils in the manner mentioned. Place some cotton wool in the nostrils and ears, so that while doing wuduu and pouring water over the body, water does not go into the nose and ears. After wuduu, clean the head with gule khayruu (chinese hollyhock), khitmii (hollyhock seeds) or some cleansing agent, or wash and clean with chick pea flour or soap. Turn the mayyit on its left side and pour

lukewarm water (which has been boiled in berry leaves) from head to toe three times, until it reaches the right side at the bottom. Then turn the body on its left side and in the same manner pour so much of the lukewarm water that it reaches the left side of the body at the bottom. Thereafter lay the body on its back lifting it slightly into a sitting position and gently and slowly massage the stomach. If faeces etc. come out (from the private parts), clean and wash it. This exit of impurity will not affect the wuduu or ghusl. Do not repeat the procedure. Turn the body on its left side again, and pour water mixed with camphor from head to toe three times. After wiping the body with a clean cloth (or towel), put on the kafan.

4. If water boiled with berry leaves is not available, plain lukewarm water will suffice. Bathe the body with this water in the same manner (as has been mentioned) three times. Do not bathe the mayyit with very hot water. The method of ghusl for the mayyit mentioned is according to the sunnah. If someone does not bathe the body three times in this manner, but washes the whole body only once, the fard would have been fulfilled.

5. When the kafan is put on the body, apply ‘itr (fragrance) on the head. If the mayyit is a male, apply some ‘itr on the beard. Then rub some camphor on the forehead, nose, palms, knees and feet. Some people put ‘itr on the kafan, and also immerse a little cotton wool in ‘itr and put this into the ears. All this is ignorance. Do not exceed that which the sharii‘ah has ordained.

6. The hair should not be combed, neither the nails cut, nor any hair cut. Leave everything as it is.

7. If a man dies and there is no male available to do ghusl, a woman who is a mahram of the mayyit (i.e., mother, sister, aunt, grandmother) should do the ghusl.

It is not permissible for a non-mahram female to touch him. If no mahram woman is available, tayammum should be given to the mayyit without the hands touching the skin of the mayyit. Hand-gloves (or a cloth) should first be put on and then tayammum performed for the mayyit.

8. If a husband dies, it is permissible for his wife to do the ghusl

and put on the kafan. If a wife dies, it will not be permissible for the husband to touch her body.

9. A woman in hayd and nifaas must not do ghusl for a mayyit. It is makruuh and prohibited.

10. It is preferable that a woman who is nearest in blood relationship to the mayyitah (female deceased) do the ghusl. If one is not available, it may be done by any religious-minded, pious lady.

11. If at the time of ghusl anything unpleasant or evil is observed, it should not be mentioned to anyone. However, if the deceased was an open sinner, like being a drunkard, fornicator, dancer, singer or prostitute, then there is no harm in revealing the evil observed. Other people should abstain from mentioning such happenings, and should repent.

12. If someone drowned at sea (or in a river, dam etc.), then when the body is recovered, it is waajib to give the mayyit ghusl.

13. If only the head of a person is left, it should not be given ghusl, but buried as it is. If more than half of the body of a person is found, it will be necessary to do ghusl, whether it has a head or not. If the body is less than half, but half only, with the head attached to it, ghusl should be done. If it is less than half, ghusl should not be given whether the head is attached or not.

14. If a relative who is a kaafir (non-Muslim) dies, the corpse should be handed over to the people of the same religion. If there are no fellow-religionists or they refuse to accept the body, then by force of circumstance a Muslim may wash the body of the kaafir, but not in the sunnah manner. Wuduu should not be done, the head should not be cleaned, and no camphor etc. should be poured over the body. It should be washed so that najis is removed. The kaafir will not become taahir (paak, clean) with this washing.

15. If rebels or robbers are killed during battle, they should not be given ghusl.

16. A murtad (apostate) should not be given ghusl. If co-religionists claim the corpse, it should not be given to them.

17. If the mayyit was given tayammum because no water was available, and water was found later, the mayyit should then be given ghusl.

Kafan of the mayyit

1. The kafan (shroud) of a male consists of three pieces, a chaadar (sheet), izaar (trouser) and a kurtah (shirt).

2. If there are only two cloths for a males kafan i.e., a chaadar and izaar, there is no harm. Two cloths are sufficient. Less than two are makruuh, but if the deficiency is due to helplessness, it is not makruuh.

3. It is sunnah to shroud a woman in five pieces of cloth: kurtah, izaar, breast covering, chaadar, head covering (burqa'). The izaar should cover the body from head to feet. The chaadar should be about a hand (cubit) longer. The kurtah should reach from the neck to the feet, and not have sleeves or panels. The head covering should be three hands (cubits) long. The width of the breast covering should be from the breast to the knees, and so long that it can be folded over the breast.

4. If a female is not shrouded in five cloths, but only in three, izaar, chaadar and head covering, it will still be correct. It is makruuh and bad to have less than three cloths. If it is due to helplessness, it is not makruuh.

5. If the breast covering is from the breast to the navel, it is correct, but it is better if it reaches the knees.

6. The kafan should first be fumigated (given the smoke of) with lobaan etc. three, five or seven times before it is put on.

7. The method of putting on the kafan is, first spread out the chaadar, then lay on it the izaar, than the kurtah. Lay the mayyitah on it. First put on the kurtah, divide the hair into two parts and place it above the kurtah over the breasts. One portion on the right and one on the left. Then cover the head and hair with the head-covering without folding or tying it. Wrap the izaar round the body, first the left, then over it the right. Thereafter the breast covering, then lastly fold the chaadar, first the left flap then the right. With strips of cloth, tie the

ends of the kafan on the head and feet side. Also tie a strip of cloth around the waist so that the kafan does not open up on the way.

8. If the breast covering is folded after the head covering, before folding the izaar, this too is permissible. It will be correct too if wrapped over all the other kafan cloths.

9. After the kafan has been put on, then grant leave for the men to proceed with the salaah and burial.

10. It is permissible for ladies to perform janaazah salaah.

11. The placing of a written covenant or the family tree of one's shaykh, or a written du'aa in the kafan or qabr (grave) is not permissible. Similarly, it is not correct to write the kalimah on the kafan or chest etc. with camphor or ink. However it is permissible to place a piece of (the black cloth of) the Ka'bah, or the ruumaal (head covering) etc. of one's spiritual mentor as barakah (benediction) in the kafan or grave.

12. A child born alive and dies after a short while, or dies immediately after birth, should also be given ghusl, kafan, salaah and then burial. Such a child should also be given a name.

13. A child that is still-born, showing no signs of life at birth, should also be given ghusl, but the full kafan procedure is not necessary. Wrap the body in a single piece of cloth and bury it. It should also be given a name.

14. If a young girl who has not yet reached the age of puberty dies, but is about to become mature, then for her too the five cloths of kafan which are used for adult females are sunnah. If not five, the use of three cloths will suffice. Briefly, the rules that apply to a mature female also apply to a young girl. The rule for a mature female is ta-kiidii (emphatic) and preferable for the young also.

15. For a girl who is very young, and not near maturity, it is preferable to shroud her in five cloths. Two cloths, an izaar and a chaadar, are also sufficient.

16. The sheet that is placed over the janaazah, e.g., over the bed or bier is not part of the kafan. The kafan consists only of the five pieces (three for males), as already mentioned.

17. A person should be given the kafan and buried in the town where he or she died. It is not advisable to move the mayyit to another

place. There is no harm if the mayyit is moved a kaus (3.25 kms - two miles) or so.

18. If a woman has a miscarriage, and the hands, feet, mouth, nose etc. of the foetus were not formed, do not give ghusl or the kafan. Wrap it in a cloth and bury it in a hole. If limbs have been formed, the rule of a still-born applies. Give it a name, and do ghusl, but kafan and janaazah salaah need not be done according to the established order. Wrap it in a cloth for burial.

19. At the time of delivery only the head of the baby came out and was alive. Then it died. The rule for a still-born applies. If a major portion of the body emerged and then the baby died, then regard it as having been born alive. If the baby's head emerged first and came out to the chest, it will be considered that a major portion emerged. If born the other way, legs first (breech), then it must come out up to the navel.

20. If a human organ, or half a body without the head is found, then it is sufficient to wrap it in a cloth and bury it. If with half of the body the head is found attached, or more than half the body is found without the head, the sunnah manner of kafan should be done.

21. If a grave is opened, and for some reason the corpse came out and does not have the kafan on it, then it should be shrouded with a masnuun kafan, on condition that the corpse has not decomposed. If decomposed, it will be sufficient to shroud it with a cloth (and rebury it).

The janaazah salaah

The janaazah (funeral) salaah is in reality a du'aa from the arhamur raahimiin (the Most Merciful of the Mercifuls) for the mayyit.

1. The shuruut (compulsory prerequisites) for janaazah salaah becoming waajib is the same as for all other salaahs. There is one extra shart (compulsory prerequisite), viz: one should be aware of the death of the person concerned. If one is not aware of the death of a person, one is madhuur (excused), and janaazah salaah is not compulsory on such a person.

2. There are two types of sharts for the correctness of the janaazah

salaah. One type of shart pertains to the persons performing the salaah. It is the same as that for other salaahs and has been mentioned already, viz. tahaarah, covering the satr (private parts), facing the qiblah, niyyah, etc. Time is not a shart for it. Tayammum is permissible if it is thought that the janaazah salaah will be missed. For example, if the janaazah salaah is in progress, and it is thought if wuduu is done, one would miss the salaah, then do tayammum, whereas for other salaah if it is feared that the time will lapse, tayammumm is not permissible.

The second type of shart refers to the mayyit. The mayyit should be a Muslim. Salaatul janaazah for a kaafir or a murtad is not correct. Janaazah salaah is correct for a Muslim who is a faasiq (one who sins openly) or a bid'a-tii (innovator in the diin). It is correct to perform janaazah salaah for one who has committed suicide.

3. Some people perform salaatul janaazah in their shoes. It is necessary that both the shoes and the place on which one stands is taahir (paak, clean of all impurities). If one removes his shoes and stands on them , it will be necessary for the shoes to be taahir.

4. A child whose father or mother is a Muslim, will be regarded as a Muslim and salaatul janaazah will be performed for the child.

5. By mayyit is meant that one is born alive then passes away. If a baby is stillborn, janaazah salaah will not be correct.

6. The second shart (compulsory prerequisite) is that the body of the mayyit should be clean of all hukmii (definitive) and haqii-qii (actual) najaasah. If najaasah haqii-qiyyah comes out of the mayyit, and the body becomes najis, it does not matter. The salaah will still be correct.

7. If a Muslim is buried without performing the janaazah salaah, then the salaah will be performed on the mayyit's grave as long as it is improbable that the body has decomposed. If it is thought that the body has decomposed, the salaatul janaazah will not be performed. The decomposing of the body differs from place to place, and cannot be ascertained. Some say it takes three days and some say it takes a month.

8. It is not shart that the place where a mayyit is placed should be taahir. If the mayyit is on a taahir bed or bier, or the bed or bier is najis, or is placed on a najis surface, there is a difference of opinion.

According to some it is a shart that the place where the mayyit is placed must be taahir otherwise the salaah will not be valid. According to some it is not a shart and the salaah will be correct.

9. The third shart is that it is compulsory to cover the satr of the the mayyit. If the mayyit is completely naked, janaazah salaah will be incorrect.

10. The fourth shart is that the mayyit be placed in front of the musalliis (those performing salaah). If it is placed behind the musalliis, salaah will be incorrect.

11. The fifth shart is the mayyit or that on which the mayyit is put, must be placed on the ground. If the people hold the mayyit in their hands, or put it on a wagon or animal, and salaatul janaazah is performed, it will not be valid.

12. The sixth shart is that the mayyit should be present. If the mayyit is not present the salaatul janaazah is not correct.

13. Two things are fard in the salaatul janaazah:

a. To say the takbiir (Allaahu Akbar) four times. Here every takbiir is said instead of one rak'ah.

b. Qiyaam, i.e., to perform salaatul janaazah in a standing posture, in the same manner that standing is fard (incumbent) in the fard and waajib salaah. To refrain from standing without an excuse is not permissible.

14. There is no rukuu', sajdah, qa'dah etc. in this salaah.

15. Three things are sunnah in salaatul janaazah:

a. The hamd (praises) of Allaah Ta'aalaa.

b. Salawaat on Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam.

c. Du'aa for the mayyit. (Salaatul Janaazah is fard kifaayah.) Jamaa'ah is not a shart (compulsory prerequisite). Hence if only one person performs the salaatul janaazah,the fard is fulfilled, whether it is a male or female, baaligh (mature, reached the age of puberty) or not.

16. The need for jamaa'ah in salaatul janaazah is very strong as this is a du'aa for the mayyit. The coming together of a few Muslims and supplicating in the court of the Almighty for something has a wonderful influence for the descending of mercy and acceptance.

17. The masnuun and mustahab method of salaatul janaazah is to place the mayyit (bier) in front. The imaam stands in line with the mayyit's chest or breast. All present make this niyyah:

نَوَيْتُ أَنْ أُصَلِّيَ عَلَى الْجَنَازَةِ لِلّٰهِ تَعَالٰى دُعَاءً لِلْمَيِّتِ

Na-way-tu an u-sal-li-ya 'a-lal ja-naa-za-ti lil-laa-hi ta-'aa-laa du'aa-an lil-may-yi-ti.

I make niyyah to perform salaah on this janaazah for Allaah, as a du'aa (supplication) for the mayyit (deceased).

Then lift both hands up to the ears, as when saying the takbiir tahriimah, say "Allaahu Akbar" once and fold the hands. Then recite the "Subhaana-kallaahum-ma" (thanaa) till the end, thereafter say "Allaahu Akbar" once. This time do not raise the hands. Then recite the salawaat (duruud). It is preferable to recite the salawaat that is recited in the normal salaah. Then say "Allaahu Akbar" once again. This time too do not raise the hands. After this takbiir say the du'aa. If the mayyit is a baaligh, whether male or female, recite this du'aa:

اَللّٰهُمَّ اغْفِرْ لِحَيِّنَا وَمَيِّتِنَا وَشَاهِدِنَا وَغَائِبِنَا وَصَغِيْرِنَا وَكَبِيْرِنَا وَذَكَرِنَا وَأُنْثَانَا ، اَللّٰهُمَّ مَنْ أَحْيَيْتَهُ مِنَّا فَأَحْيِهِ عَلَى الْإِسْلَامِ ، وَمَنْ تَوَفَّيْتَهُ مِنَّا فَتَوَفَّهُ عَلَى الْإِيْمَانِ

Al-laa-hum-magh-fir li-hay-yi-naa wa-may-yi-ti-naa wa-shaa-hi-di-naa wa-ghaa-i-bi-naa wa-sa-ghii-ri-naa wa-ka-bii-ri-naa wa-dha-ka-ri-naa wa-un-thaa-naa. Al-laahum-ma man ah-yay-ta-hu min-naa fa-ah-yi-hi 'a-lal is-laa-mi wa-man ta-waf-fayta-hu min-naa ta-ta-waf-fa-hu 'a-lal ee-maan.

O Allaah forgive our living ones and our dead, those of us who are present as well as the absent ones, the male and the female. O Allaah whosoever of us you cause to live, let him live in Islaam and whosoever you cause to die, let him die with imaan (faith).

And if the mayyit is a non-baaligh child, say this du'aa:

اَللّٰهُمَّ اجْعَلْهُ لَنَا فَرَطًا وَّاجْعَلْهُ لَنَا أَجْرًا وَّذُخْرًا وَّاجْعَلْهُ لَنَا شَافِعًا وَّمُشَفَّعًا

Al-laa-hum-maj'al-hu la-naa fa-ra-tau, waj-'al-hu la-naa aj-rau wa-dhukh-rau, waj-'al-hu la-naa shaa-fi-'au wa-mu-shaf-fa-'an

Allaah, make him a source of salvation for us, and make him a reward and a stored treasure for us, and make him an intercessor and one whose intercession for us is accepted.

When the child is a female, the du'aa is:

اَللّٰهُمَّ اجْعَلْهَا لَنَا فَرَطًا وَّاجْعَلْهَا لَنَا أَجْرًا وَّذُخْرًا وَّاجْعَلْهَا لَنَا شَافِعَةً وَّمُشَفَّعَةً

Al-laa-hum-maj-'al-haa la-naa fa-ra-tau, waj-'al-haa la-naa aj-rau wa-dhukh-rau, waj-'al-haa la-naa shaa-fi-'a-tau wa-mu-shaf-fa'ah.

Allaah, make her a preceding reward for us, and make her a reward and stored treasure for us, and make her an intercessor for us, and one whose intercession is accepted.

After reciting this du'aa, say "Allaahu Akbar" once again. Do not lift the hands again. After this takbiir say the salaam as is done in the normal salaah. In this salaah there is no recital of at-tahiyyaat, Qur-aan Majiid etc.

18. The salaah of the imaam and muqtadii are identical. The only difference is that the imaam will say the takbiirs and salaam loudly, and the muqtadii softly. The du'aas will be recited softly by both the imaam and muqtadii.

19. It is mustahab in salaatul janaazah to form three saffs (rows). Hence if there are seven people, one becomes the imaam, three people will stand in the first row (behind the imaam), two in the second, and one in the last row.

20. The salaatul janaazah becomes faasid by all those things which nullifies a normal salaah, except that in this salaah the wuduu does not break in the event of loud laughter, and if a woman stands in line with men, the salaah does not become nullified.

21. It is makruuh tahriimii to perform the salaatul janaazah in a masjid which had been built for the five daily salaahs or jumu'ah or the 'eiidayn, whether the salaatul janaazah is inside or outside the masjid.

22. It is makruuh to delay the salaatul janaazah so that a greater gathering can attend.

23. It is not permissible to perform salaatul janaazah while sitting or while mounted on a conveyance, except where there is a valid excuse.

24. If many janaazahs are present at one time, then it is preferable that every janaazah salaah is performed individually. If the salaah for the janaazahs are performed at one time, this will be permissible. In such a case, all the biers should be lined up one in front of the other, so that all the feet are on the same side and all the heads on the other side. This manner is better because the chest and breast of all the janaazahs will be in line before the imaam which is masnuun.

25. If the janaazahs are of both genders, they should be lined up in this manner: the male adults should be nearest to the imaam, then the non-baaligh boys, thereafter adult females, then the non-baaligh girls.

26. If one reaches the salaatul janaazah when a few takbiirs have already taken place, one will be regarded as a masbuuq (one who joins the jamaa'ah salaah late). He should immediately say the takbiir tahriimah and join the jamaa'ah and wait till the imaam says the takbiir. When the imaam says the takbiir he too should say the takbiir. This takbiir will be the masbuuq's takbiir tahriimah. When the imaam says the salaam the masbuuq will complete the missed takbiirs. There is no necessity to recite anything in between the missed takbiirs. If a person arrived after the imaam had already said the fourth takbiir, he will not be a masbuuq as far as that takbiir is concerned. He should imediately say the takbiir and join before the imaam says the salaam. After the imaam says the salaam he should complete the missed takbiirs.

27. If one is present when the takbiir tahriimah (first takbiir) or

the other takbiirs are said, that person is ready to join the salaatul janaazah. If because of laziness, or some other reason he did not join in, he should immediately say the takbiir and join in. He should not wait for the next takbiir.

28. When a masbuuq completes the missed takbiirs of the salaatul janaazah and fears that if the du'aas are recited it will get late and the janaazah will be carried away, then du'aas should not be recited (after the 3rd takbiir).

29. The right to perform the janaazah salaah falls first on the Islaamic ruler at that time, even if more righteous and Allaah-fearing ones are present. If the ruler is not present, then his deputy or the local governor has the right to perform the salaatul janaazah. If these are not present, the qaadii of the town, or failing him, his deputy should perform it. If the people mentioned are present it is not permissible to let anybody else lead the salaah without their permission. It is waajib to have the above mentioned lead the salaah. If none of these are present, the imaam of the locality is more rightful, on condition no relative of the mayyit is more virtuous, otherwise those relatives who possess the right of wilaayah (guardianship) are more rightful, or those whom they permit to lead the salaah. If without permission, someone who is not rightful led the salaah, the walii will have the choice of repeating the salaatul janaazah. If the mayyit has already been buried, salaatul janaazah may be repeated at the grave if the body has not decomposed.

Burial of the mayyit

1. Like the salaatul janaazah and the ghusl of the mayyit (deceased), the burial of the mayyit (deceased) is fard kifaayah.

2. As soon as the janaazah salaah is over, the mayyit should be moved to the spot where the grave is being dug.

3. If the mayyit is that of an infant child, it should be carried by hand. One person should carry it lying in both his arms, then pass it to another to carry in a similar manner. In this way they should change from one to the other till they reach the grave. If the mayyit is an adult, it should be placed on a bier or something like a bedstead and carried by bearers, each lifting it on his shoulder. It is makruuh to

carry it on the shoulders in the manner in which goods are carried. It is also makruuh to load the mayyit on an animal, wagon or any other means of conveyance without a valid reason. If there is a valid reason, it becomes permissible without being makruuh, e.g. if the cemetery is very far away.

4. The mustahab manner of carrying the mayyit is for a person to first lift the front right leg of the bedstead or bier to his right shoulder and walk about ten paces. Thereafter take the back right on his right shoulder and walk ten paces. Thereafter, take the front left on his left shoulder and walk ten paces, and lastly lift the back left to his left shoulder for ten more paces. In this way he has walked forty paces with all four ends of the bier.

5. It is sunnah that the mayyit should be carried away speedily, without shaking the corpse.

6. It is makruuh for the mourners following the janaazah to sit down before the mayyit is taken down from the shoulders of the bearers. If however there is some special or urgent reason to sit down, there is no harm.

7. It is mustahab for the mourners to walk behind the janaazah. Walking ahead of the mayyit is also permissible, but if all the people walk in front, it is makruuh. Similarly it is also makruuh for any vehicle to ride in front of the mayyit.

8. It is mustahab to follow the janaazah on foot, but if anyone is on horseback (or in a vehicle) he must be behind the mayyit.

9. It is makruuh for the mourners following the janaazah to recite any dhikr or du'aa aloud.

10. The grave should be dug to a minimum depth of half a man's height and should not be deeper than a man's height (+- 2 m). Its length should be about the same. To have a section at the bottom of the grave hewn out on the side is better than the rectangular box-type grave. If however the soil is very soft and sandy, so that it is feared that the grave may cave in, it is better to have a box-like type of grave.

11. When the grave is ready, the mayyit should be lifted into it from the side of the qiblah. The mayyit on the bier is placed on the qiblah side of the grave and the persons lowering the body into the grave

should stand inside facing the qiblah, then lower it into the grave.

12. It is not necessary that an uneven number of persons should lay the mayyit in the grave, because four persons did it when laying Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, down in his grave.

13. At the time of lowering the mayyit into his grave it is mustahab to recite:

بِسْمِ اللهِ وَعَلٰى مِلَّةِ رَسُولِ اللهِ (صَلَّى اللهُ عَلَيْهِ وَسَلَّم)

Bis-mil-laa-hi wa 'a-laa mil-la-ti ra-suu-lil-laa-hi (sallallaahu 'alayhi wasallam).

We lay you down in the name of Allaah and on the diin of Sayyidinaa Rasuulullaah, (sallallaahu 'alayhi wasallam.)

14. After the mayyit has been laid down, the cloth strips tied to the kafan should be loosened and removed.

15. Then the mayyit (lying on its right side facing the qiblah) is covered with mud bricks. It is makruuh to use baked bricks and wood to cover the body. Where the earth is very soft and it is feared that the grave may cave in, it is permissible to use baked bricks or planks, or even a box.

16. When a woman is buried it is mustahab to cover the grave with a sheet at the time of burial. And if it is feared that the body of the mayyit may become exposed, it is waajib to use a sheet to cover the grave during the burial procedure.

17. When the mayyit has been laid down, it is necessary to throw all the sand that came out of the grave into it. It is makruuh to throw in more than that.

18. In filling the grave it is mustahab to commence throwing sand from the head side of the grave. Every person should fill both hands with sand and throw it into the grave, saying with the first handful: Minhaa khalaq-naakum.

And with the second: Wa-fiihaa nu-'ee-dukum.

And with the third: Wa-min-haa nukh-ri-jukum taa-ratan ukh-raa.

19. After the burial it is mustahab to remain at the graveside for a while, making du'aa for the forgiveness of the mayyit or to recite the Qur-aan Kariim and to submit du'aa that the reward thereof be granted to the mayyit.

20. After completion of the burial, it is mustahab to sprinkle water over the grave.

21. It is not proper to bury a mayyit in a house, whether big or small, as this is something which is reserved for the rasuuls (prophets) of Allaah.

22. It is makruuh to make the grave square and flat. The mustahab manner is to make it round on top and raised about 30cm (one foot).

23. It is makruuh tahriimii to lift the hump of the grave much more than 30cm above the level of the ground, and it is also makruuh to cement (build) the top of the grave.

24. It is haraam after burial to erect a dome or structure on the grave for the sake of adornment. If this is done for strengthening the grave, it is makruuh. It is permissible to write something on the grave (or a headstone) by way of remembrance, provided there is a necessity for it. Otherwise it is not permissible. Because nowadays people adhere to many wrongs, even that which is generally permissible should be regarded as not permitted. Hence, these things are strictly prohibited.

Miscellaneous masaa-il about janaazah

1. If after having buried a corpse one does not remember whether the mayyit was laid facing the qiblah, it will not be permissible to open the grave in order to correct the position. But if only the planks or bricks were placed over the body and the grave has not been filled in, the planks etc., may be removed to turn the body to face towards the qiblah.

2. It is not permissible to allow professional female mourners to accompany the janaazah.

3. It is a bid-ah to call out the a-dhaan at the time of laying the mayyit in the grave.

4. Should the imaam recite more than the usual four takbiirs,

the Hanafiis in the congregation should not follow him in the extra takbiirs. They should remain standing silently and when the imaam says the salaam, they should also do so.

5. If a man passes away on a ship and the land is so far away that the body may decompose, the mayyit should be given ghusl and kafan, and the ṣalaah. Then the body should be lowered into the water. If the land is not far away and may be reached soon, the body should be kept and buried on land.

6. If a person does not know the du'aa which is to be read in the ṣalaatul janaazah, he should say:

اَللّٰهُمَّ اغْفِرْ لِلْمُؤْمِنِيْنَ وَالْمُؤْمِنَاتِ

Al-laa-hum-magh-fir lil-mu-mi-nii-na wal-mu-mi-naat.

O Allaah forgive the believing man and woman.

7. Once the grave has been filled with sand, it is not permissible to remove the mayyit from the grave, unless it is done to fulfil someone's rights. For example, a body may be removed if it was buried in ground belonging to somebody else who did not give permission for the burial. The grave may also be opened if some money etc., has fallen into the grave.

8. If a pregnant woman dies while the child within her is still alive, an operation should be performed to remove the child from the womb. Similarly, if someone swallows something valuable and then dies, and if the owner wants his article, the mayyit may be operated on to remove the article. But if the mayyit leaves behind sufficient wealth to compensate the owner for his loss, the owner should be paid out of that and the mayyit should not be opened.

9. Before the burial of the mayyit, it is not advisable to remove it from one place to another, unless the distance of removal is 3.25 kms or two miles. If the distance is more than that, it is not permissible. After burial it is not permissible at all to exhume the body and have it buried somewhere else.

10. It is permissible to eulogise the mayyit in poetry or prose,

provided that there is no undue extravagance, and that the mayyit is not praised for qualities he did not possess.

11. It is permissible to console the relatives of the departed one, to sympathise with them, to expound the virtues of patience and its reward, and to submit du'aa for the soul of the departed one. This is called ta'ziyah (condolence). To visit the family for ta'ziyah for more than three days is makruuh tanzii-hii. But if the consoler or the relatives of the mayyit were away on a journey and arrived after more than three days after death, it is not makruuh. And for anyone who had already sympathised with them, to do so again is makruuh.

12. It is not makruuh to keep kafan ready for oneself but it is makruuh to keep a grave ready for oneself.

13. To write a du'aa or "Bismillaah" on the kafan (without ink) with the movement of the finger only, is permissible, and to write the kalimah on the forehead is also permissible. But this is not taught in any authentic hadiith. Hence writing a du'aa "Bismillaah" should not be looked upon as being sunnah or mustahab.

14. It is mustahab to place a green (fresh) branch of a tree on the grave. It is makruuh to cut off a branch from a tree growing in the cemetery.

15. Only one person should be buried in a grave, but in an emergency or necessity, more than one person may be buried in one grave. If they are all men, then the most righteous of them should be placed in front and the rest behind him according to their righteousness. And if there are men and woman, the men should be placed first and then the women.

16. To visit the cemetary is mustahab for the men. This should be done on Fridays. It is permissible to undertake a journey to visit the graves of pious people as long as no anti-sharii'ah beliefs and actions are committed.

The shahiid (martyr)

Although a shahiid is outwardly considered a dead person, not all the rules pertaining to the dead are put into operation where a shahiid is concerned. The virtues of the shahiid are very great. Hence masaa-il regarding the shahiid are explained separately. A shahiid is a person

enjoying any comforts of life e.g., eating, drinking sleeping, receiving medication, trading etc., that much time should not have passed, i.e., the length of one salaah time, while he remained conscious; and he should not have been moved from the battlefield in a conscious state. If he is moved for fear of him being attacked by animals, it does not matter. If after being injured a man talks much, he does not fall within the category of the shahiid, because talking much is the nature of the living. And if a person makes a wasiyyah (last will, testament) which pertains to worldly affairs, he is also excluded from being a shahiid. If his wasiyyah is in respect of matters of the diin, he is not excluded. If a person is injured on the battlefield, and any of the above things apply to him, he is excluded from being a shahiid. But if a person became injured in battle and dies while the battle is still in progress, then in spite of enjoying some of life's comforts, he is still a martyr.

8. A shahiid who conforms to all the above points shall not be washed, and the blood shall not be removed from his body or clothes. He shall be buried in that state. Secondly, the clothes in which he died shall not be removed. But if the clothes are less than that required for kafan, then some clothing may be added. If his clothes are more than the amount required for kafan, the extras shall be taken off. If the clothes he wore are not suitable for kafan e.g., if they are of parchment, they shall be taken off. His topii (headcover), shoes, weapons, etc., shall in any case be removed. Apart from these, all the other rules pertaining to other mayyits, e.g., salaah and burial, must be carried out. If any of the points mentioned above do not pertain to him, the mayyit must be washed and shrouded in a kafan.

The masjid

1. It is makruuh to lock the door of a masjid. It may, however, be done outside the times of salaah, if the reason is to protect the possessions of the masjid against damage and theft.

2. If only a part of a house has been declared a masjid, the whole house will not be a masjid. Similarly, places where the 'eiid salaahs are performed and a place specially set aside for janaazah salaah, are not considered a masjid.

3. There is no harm if one wishes to adorn the walls of the masjid with one's own money. To adorn the mihraab or the qiblah side of the wall of the masjid is makruuh. It is prohibited if done from masjid funds.

4. It is not good to write verses or chapters of the Qur-aan Kariim on the walls of the masjid.

5. It is despicable to spit in the masjid or on its walls, or to blow one's nose therein. If there is need for this, the best is to spit or clean the nose into a handkerchief (or on one's kurtah).

6. It is makruuh tahriimii to perform wuduu or wash one's mouth inside the masjid. The wuduu khaanah (place where wuduu is done) may be used.

7. It is sinful for one in a state of janaabah, hayd or nifaas to enter a masjid.

8. To sell or buy anything in a masjid is makruuh tahriimii. However, if one is in i'tikaaf in the masjid, it is permissible to buy or sell there, but only for as much as is necessary. More than that is not permissible. In any case, the article being sold should not be present in the masjid.

9. Should any mud be attached to one's shoes, it is not right to clean it off against the masjid walls or its pillars, etc.

10. It is makruuh to plant trees inside a masjid. This is the custom of the ahlul kitaab (People of the Book - i.e. Jews and Christians).

11. It is not permissible to use the masjid as a throughway to get from one side to another. If, however, there is a need for it and if there is no other path, it is permitted.

12. It is not permissible for any tradesman to practise his trade in the masjid because a masjid is a place for the affairs of the diin. No worldly business affairs should take place therein. A man who receives a salary for teaching the Qur-aan Kariim is considered a tradesman. Such a person should teach somewhere outside that portion which forms part of the masjid (although being part of the complex).

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, said, "Whosoever builds a masjid for Allaah's sake, will have a house in jannah."

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, said, "To sweep the masjid, to clean it and to throw away its dirt, to fill it with fragrance especially on Fridays, all these acts are a means of entrance into jannah (paradise)."

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, said, "One who builds a masjid for Allaah, Allaah will build a house for the person in jannah."

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, said, "The building of a masjid is a deed, the reward of which remains forever."

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, said, "In the sight of Allaah, the most virtuous spot on earth is that on which a masjid is built, and the worst is that on which a marketplace is erected."

KITAABUS SAUM

Saum

The hadiith states a tremendous reward for saum (rozah, puasah, fasting), and the rank of one observing saum is great by Allaah. Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, has said, "Whosoever observes saum in the month of Ramadaan with sincerity and solely for Allaah, with the hope of attaining reward, all previous sins will be forgiven."

He also said, "The smell from the mouth of one observing saum is more beloved by Allaah then the most fragrant mushk (musk)." Those who fasted will on the day of qiyaamah receive countless reward.

1. Observing saum during the month of Ramadaan is compulsory upon every Muslim who reached puberty and is not insane. As long as there is no acceptable excuse, it is not proper to omit observing the saum. If one has vowed to observe saum, then because of the vow, saum becomes fard. The saum of qadaa and kaffaarah (penalty) are also fard. Apart from these, any other saum are nafl (voluntary). If nafl saum are observed, great reward is gained and if not observed, there is no sin. However, it is haraam (strictly forbidden) to observe saum on the day of 'eiidul fitr and 'eiidul ad-haa and three days after both 'eiids.

2. When the time of fajr (subh saadiq - true dawn) begins until the sun sets, abstaining from eating, drinking, and copulating, is called saum (rozah, puasah, fasting) in the sharii'ah.

3. It is not compulsory to express the niyyah of saum with the tongue (audibly). When it is intended in the heart that today I am observing saum, and the whole day nothing was eaten, drunk, nor copulated, then one has observed saum. If it is said with the tongue, "O Allaah, I will observe saum for You tomorrow, or says in Arabic, 'Bi-saumi ghadin nawaytu", there is no harm, but it is preferable to say so.

4. If one, from morning till evening, did not eat or drink and remained hungry and thirsty the whole day, but an intention for saum was not made, one will not be considered to have observed saum. Even if hunger was not not felt, or for some reason nothing was eaten or drunk, the same applies. However, if niyyah (intention) had been made, it will be considered as saum.

5. In the sharii'ah, the time of saum commences at subh saadiq (true dawn). Hence till subh saadiq eating and drinking is permitted. Some women partake of suhuur (sehrii) later in the night, say the niyyah for saum and go to sleep. They think that after having said the niyyah, it is now not permitted to eat or drink. This view is incorrect. One may eat and drink until subh saadiq, whether niyyah has been said or not.

The saum of Ramadaan

1. If niyyah for the saum of Ramadaan is made at night, the fard has been fulfilled. If at night there was no intention of observing saum, nor was there the intention of observing the saum in the morning that day. Thereafter the sun had risen it is felt that it is a very evil thing to discard a fard, hence niyyah for the saum of that day is said. The saum of that day is valid. If something had been eaten or drunk that morning, niyyah cannot now be said.

2. If nothing had been consumed, it is permissible to say the niyyah for the saum of Ramadaan an hour before midday.

3. It is sufficient to make niyyah for the saum of Ramadaan, intending, "I am observing saum today" or by intending at night, "Tomorrow I shall observe saum." This suffices for the saum of Ramadaan.

4. A person made nadhr (vowed) that if a certain affair is attained, he will observe saum for two days or a day. When Ramadaan came, niyyah is made to fulfil the saum of that nadhr. Niyyah for the saum of Ramadaan is not made, this will be regarded as the saum of Ramadaan. The saum of nadhr is not fulfilled and will have to be observed after Ramadaan. To summarise, whatever niyyah of saum is made in Ramadaan will only be that of Ramadaan. No other niyyah of saum is valid.

5. If on the 29th of Sha'baan the hilaal (crescent – new moon) of Ramadaan is sighted, observe saum in the morning. If the hilaal is not sighted, do not observe saum the next morning. It has been prohibited in the hadiith. Complete thirty days of Sha'baan, then begin the saum of Ramadaan.

6. If due to cloudy skies, the hilaal was not sighted on the 29th of Sha'baan, do not observe a nafl saum the next morning. If a person

normally observes saum every Monday and Thursday, or on some other stipulated day, and co-incidentally, the next morning it happens to be one of those stipulated days, then it is better to observe the nafl saum the next morning. If on the next day news of the sighting of the hilaal is received, then this nafl saum will be considered as the fard saum of Ramadaan. No qadaa is necessary.

7. If because of cloudy skies the hilaal was not sighted on the 29th Sha'baan, do not eat or drink anything up to one hour before noon. If news comes from somewhere of the hilaal having been sighted, say the niyyah and observe saum. If no news comes, eat and drink as usual.

8. If on the 29th Sha'baan the hilaal is not seen, one should not think, tomorrow is not Ramadaan, a qadaa saum of the previous Ramadaan is still outstanding, let me fulfil that qadaa, or a vow had been taken of which this saum is being observed. On this day saum of a qadaa, saum of kaffaarah, or saum of nadhr is makruuh. No saum should be observed. If one had observed a saum of qadaa or nadhr on this day (30th Sha'baan) and news of sighting the hilaal is received this saum becomes that of Ramadaan. The saum of qadaa, nadhr or kaffaarah will have to be repeated after Ramadaan. If no news of the sighting of the hilaal comes, the saum will be that of which it was intended.

Sighting of the hilaal (crescent – new moon)

1. If the sky is filled with dust, or overcast, due to which the hilaal of Ramadaan could not be observed and an Allaah-fearing, pious truthful righteous person bears witness that he had seen the hilaal, this will suffice as proof of the sighting of the hilaal, whether the person is a male or a female.

2. Due to the sky being overcast the hilaal for 'eiid could not be sighted. The evidence of one person is not sufficient, even if the person is greatly reliable. If two Allaah-fearing, pious and reliable men or one Allaah-fearing, pious and reliable man and two Allaah-fearing, pious and reliable women give evidence of sighting the hilaal, it will suffice as proof. The evidence of four women sighting the hilaal will not be acceptable.

3. One who is not observant of one's religious duties and habitually sins, e.g., does not perform salaah, nor observes saum, tells lies or

commits other sins, and is not observant of the sharii'ah laws, such a person's evidence has no credence and is not accepted in the sharii'ah, no matter how many oaths the person swears while giving evidence. Even if they be two or three such persons, their evidence is not accepted.

4. If the sky is clear, the evidence of two, three, or four men will not be acceptable, whether it is for the Ramadaan or 'eiid hilaal. However if many people give evidence of the sighting of the hilaal, and the heart accepts that these people are not making up a story and in no way is it possible for so many people to lie, then such evidence is accepted

5. If news is widespread in a town that the hilaal was seen by many people yesterday, but after after searching extensively no such witness could be found who had personally observed the hilaal, then such news is not accepted.

6. The sighting of the hilaal by inhabitants of one locality is sufficient evidence and proof of its sighting for the inhabitants of another locality, no matter how great the distance between the two localities. If the hilaal is sighted in the nearest west and its news is transmitted in an authentic manner to people in the furthest east, then observing saum on that day is fard upon the people of the east.

7. By the evidence of two reliable honest persons the hilaal became established and confirmed, and accordingly Ramadaan was commenced. After completing thirty days the hilaal of 'eiidul fitr could not be sighted, whether the horizon was clear or not. On the 31st day, no saum will be observed and that day will be regarded as the first of Shawwaal.

8. If on the 30th day of Ramadaan the hilaal is sighted by day, that night will be considered the night of the fi[illegible] of Shawwaal, not the previous night, but the day will not be considered to belong to Shawwaal, whether the sighting is before or after zawaal (noon).

9. The person who sighted the hilaal of Ramadaan or 'eiid, and for some reason or other the person's evidence was not accepted, then it is waajib for the person to observe saum on both those days.

Sehrii (suhuur – pre-dawn meal) and iftaar

1. The partaking of sehrii before dawn is sunnah even if one is not

hungry. If one does not have a full meal, eat at least two or three dates, or something light. If nothing else, then at least drink some water.

2. If one did not partake sehrii, but woke up and ate some paan (betel leaf), then too one will gain the reward of partaking sehrii.

3. As far as possible it is preferable that one delays sehrii till shortly before dawn, but not so late that dawn breaks, whereby doubt may arise as to whether the saum (fast) is valid.

4. Sehrii was eaten early. Thereafter one kept on consuming paan (betel leaf), tea, beverage, water, etc. A little before subh saadiq one gargled. In this case too one and the same law and reward will apply as partaking of a late sehrii.

5. If everyone overslept and no one got up for sehrii, saum (rozah, fast) must be observed without having eaten sehrii. It is a great sin to avoid saum because of missing sehrii.

6. A person woke up late thinking there is still time for sehrii. On this assumption, sehrii was eaten. Later it was discovered that sehrii was partaken after subh saadiq (true dawn). This saum is not valid. A qadaa saum must be observed and no kaffaarah is waajib. In this case, nothing must be consumed for the rest of the day and one should remain as one observing saum. In the same manner one made iftaar presuming the sun had set, then the sun became visible, this saum is nullified. A qadaa must be observed but no kaffaarah is waajib. Nothing must be consumed till the sun sets.

7. It becomes so late that there is doubt that it is already subh saadiq. Now it is makruuh to eat or drink anything. Hence it is abominable and a sin to consume anything. Later if it becomes known that it was already subh saadiq, a qadaa must be observed. If doubt remains, the repeating of the saum is not waajib. As a precautionary measure it is better to repeat it.

8. It is mustahab to break the saum as soon as it is certain that the sun has set. To delay is makruuh.

9. On an overcast day it is advisable to slightly delay breaking the saum. When one is certain the sun has set, the saum should be ended. Do not only rely on watches and clocks. One must be certain because there is always the possibility that the time on the watch may

be incorrect. Even if someone calls out the a-dhaan, and there is doubt as to whether it is already the time to break the saum, it is incorrect to end the saum.

10. It is preferable to break the saum by eating a few dates or something sweet, or alternatively with water. Some men and women breaks the saum by eating some salt, thinking it to be a rewardable deed. This belief is incorrect.

11. As long as there is doubt as to the sun having set, it is not permissible to break the saum.

Qadaa saum

1. A saum (rozah, fast), which for some reason was not observed during Ramadaan, must be observed as a qadaa as soon as possible after the end of the month. Unnecessarily delaying the qadaa is a sin.

2. When observing qadaa saum it is not necessary to stipulate the day and date. Qadaa saum must be observed according to the amount of days missed. However, if the qadaa saum of two Ramadaans are outstanding, it will be necessary to stipulate the year intending that, "I intend observing qadaa saum of such-and-such year."

3. For qadaa saum it is necessary to make niyyah at night (i.e. before subh saadiq – true dawn). If niyyah is made after subh (morning) the qadaa saum will not be correct and it will be considered as nafl. The qadaa saum will have to be repeated.

4. The same rule applies to kaffaarah saum. If the niyyah is made after subh saadiq, it will not be valid and the saum must be repeated.

5. Whatever amount of qadaa saum are outstanding can be observed simultaneously one after the other, or in batches of one's or two's. Both methods are permissible.

6. When qadaa saum of a Ramadaan had not been observed yet, and another Ramadaan comes, saum of the current Ramadaan must be observed. Qadaa of the previous year must be observed after the 'eiid. To delay observing qadaa is abhorred.

7. During the day of Ramadaan a person became unconscious and remained unconscious for three days. Qadaa of only two days must be observed. The qadaa of the first day is not necessary, because the niyyah made for that day's saum is valid. However, if the person was

observing saum that day, and for some reason medicine was put in the mouth which went down the throat, then the first day's qadaa is also waajib.

8. If one became unconscious at night, then the qadaa saum of the day following that night will not be waajib. Qadaa of all subsequent days that the person remained unconscious is waajib. However, if one did not make niyyah at night to observe saum the following day, or in the morning some medicine had been put into the mouth which went down the throat, qadaa of that day too must be observed.

9. If one remained unconscious for the whole month of Ramadaan, qadaa saum for the whole month should be observed. It should not be understood that qadaa of all the missed saum is pardoned. However, if one becomes insane and remained in that state throughout the month, no qadaa is necessary for that Ramadaan. If in Ramadaan after becoming insane, one's senses returns, saum should be commenced and qadaa observed for the days that one remained insane.

Nadhr saum

1. If one made nadhr (a vow), it is waajib to carry it out. If not, the person will be a great sinner.

2. There are two types of nadhr:

Firstly: A nadhr is made where the day and date are stipulated. For example, a person vows, "O Allaah if a certain object is attained, then tomorrow I shall observe saum for You only." Or one says, "O Allaah if my certain aim is achieved, I shall observe saum day after tomorrow on Friday." In these cases if the niyyah is made at night, it is correct and if niyyah is not made the previous night, but an hour before noon, it is also correct.

3. A person made a nadhr to observe saum on Friday. On Friday niyyah is made, "Today I am observing saum." Specific intention is not made that this is a nadhr or nafl saum. However if one had forgotten about the nadhr for that Friday and a qadaa saum was observed instead, or one did remember but knowingly made niyyah for qadaa saum, this saum will be a qadaa saum and not a nadhr saum. The nadhr saum will have to be observed.

4. The second type of nadhr is where the day and date are not stipulated. Only this is said, "O Allaah, if my certain aim is achieved, I will observe a saum." Or one does not mention the objective and simply says, "I will observe saum for five days." For such a nadhr it is a shart to say the niyyah the preceding night. If the niyyah is made after subh (morning), this will not be nadhr but a nafl saum.

Nafl saum

1. For nafl saum it is correct to stipulate that a niyyah for nafl saum is being made. If one only makes niyyah that "I am observing saum", will also be correct.

2. It is permissible to make niyyah for nafl saum up to one hour before noon. If up to 10 o'clock in the morning one did not have an intention of observing saum, nor was anything eaten or drunk till then, and one then wished to observe saum and made niyyah, this saum will be valid.

3. Apart from the days of Ramadaan, a person may observe nafl saum on any day of the year. The more nafl saum one observes, the more the reward. However, during the whole year there are five days when observing saum is haraam (prohibited), viz 'eiidul fitr, 'eiidul ad-haa and the 11th, 12th and 13th of Dhul Hijjah. Nafl saum on all other days is permissible.

4. If a person had made nadhr to observe saum on 'eiid day, the saum will not be valid. The nadhr will have to be fulfilled by observing saum on another day.

5. Having made niyyah for a nafl saum, that saum becomes waajib. Hence, if at subh (morning) one made niyyah that I am observing saum today, and then broke the saum before completing it, it becomes waajib to observe qadaa.

6. It is not permissible for a woman to observe nafl saum without the consent of her husband. If she observed saum without his consent, it is correct to break that nafl saum if the husband demands so. Qadaa should be observed when her husband allows her to do so.

7. One observing a nafl saum becomes a guest of someone, or has been invited to have a meal. If the guest refrains from eating, the host

may feel offended or embarrassed, it will therefore be correct to break the nafl saum. Similarly, it will be correct for the host and his family to break the nafl saum in showing hospitality to the guest.

8. A person made niyyah and observed nafl saum on 'eiid day, the saum should be broken, and qadaa is not waajib.

9. It is mustahab to observe saum on the 10th of Muharram. The hadiith states that observing saum on this day pardons sins of the previous year.

10. In the same manner, great reward is attained by observing saum on the 9th of Dhul Hijjah. Sins of the ensuing and previous year are forgiven. It is more meritorious if saum is observed from the 1st up to the 9th of Dhul Hijjah.

11. Great reward is gained for observing saum on the 15th of Sha'baan (the day following laylatal baraa-ah) and (any) six days of the month of Shawwaal.

12. If saum is observed on the 13th, 14th and 15th of every hijrii lunar month, it will be as if one had observed saum for the whole year. Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, observed saum on these three days. He also observed saum every Monday and Thursday. Should one have the zeal, observing saum on these days will reap rich rewards.

That which does or does not nullify saum

1. If the one observing saum forgetfully eats, drinks or had sexual relations, the saum remains valid, even if one had eaten a stomachful.

2. If one sees someone who is observing saum forgetfully eating, then if the person is strong and will not suffer any hardship because of the saum, it is waajib to remind the person of being in the state of saum. If the person is weak and may suffer hardship, do not remind the person and let the weak person continue eating.

3. During the day a person, while sleeping, has a wet-dream, which necessitates ghusl. His saum is not broken.

4. It is permissible to apply surmah (kuhl, antimony) to the eyes, rub oil on the body and smell fragrance during saum. These do not affect the saum, no matter when it is done. If after applying surmah

some colour of the surmah is found in the saliva or mucus, the saum does not break nor is it makruuh.

5. It is permissible for a husband and wife to lie down together, touch or caress one other. However, if it is feared that it may lead to copulation due to passion, one should refrain, as it is makruuh.

6. The saum does not break if a fly goes into the throat by accident or if smoke or dust enters the mouth. If done intentionally the saum is nullified.

7. Some lobaan or incense is burnt and placed before one and its fragrance smelt and inhaled. The saum is nullified. Similarly, the saum breaks by smoking a huqqah (shiishah, hubble-bubble, water smoking pipe, cigarettes, cigars). Apart from these, smelling smokeless fragrance, i.e., kewrah, roses, flowers, etc., do not break the saum.

8. While observing saum a piece of meat or nut etc. was stuck between the teeth. It was dislodged with a toothpick and eaten without taking it out of the mouth, or on its own it went down the throat. If it is smaller than a pea, the saum is not broken, and if it is the same in size or bigger than a pea, the saum breaks. If it is swallowed after having taken it out of the mouth, the saum is broken, whether it is the size of a pea or smaller.

9. After eating paan (betel leaf) the mouth and throat was rinsed thoroughly, but the redness of the saliva remained. There is no harm and the saum remains valid.

10. Swallowing saliva, whatever the amount, does not break the saum.

11. Ghusl became waajib at night, but one did not perform ghusl. Ghusl was performed during the day. The saum is valid even if one did not perform ghusl the whole day, although it is a sin to delay the ghusl.

12. If one blows the nose so intensely that some phlegm goes down the throat, the saum does not break. In the same manner, if saliva in the mouth is swallowed the saum does not break.

13. One put paan (betel leaf) into the corner of the mouth and slept, then awoke after subh, the saum is not valid. Qadaa must be observed but kaffaarah is not waajib.

14. While gargling, some water went down the throat, while one

knew that he is in the state of saum. The saum is broken. Qadaa is waajib, but kaffaarah is not waajib.

15. Saum does not break if one vomits involuntarily, whether the quantity vomited is little or a lot. However if one purposely vomited and it is a mouthful or more, the saum breaks, and if it is less than a mouthful then even by purposely vomiting, the saum does not break.

16. One vomits a little and by itself the vomit goes back down the throat, the saum does not break. But if one purposely lets the vomit go down the throat, the saum breaks.

17. If a person ate a pebble, or a piece of iron or any such thing which is not normally eaten or consumed as medicine, the saum is broken. Qadaa but not kaffaarah is waajib. If however, one eats a thing that is generally consumed by people, or a thing which is normally not eaten but used as medicine, the saum is broken. In this case, both qadaa and kaffaarah become waajib.

18. If a man intentionally copulated, the saum breaks, both qadaa and kaffaarah are waajib. If a man's penis entered the vagina of a woman, the saum breaks, making both qadaa and kaffaarah waajib, whether sperm was ejaculated or not.

19. If a man inserts his supaarii (glans) of the penis into the female's anus, the saum of both the man and the woman breaks. Qadaa and kaffaarah are waajib on both.

20. Kaffaarah only becomes waajib by breaking saum purposely (without a valid excuse) during Ramadaan. There is no kaffaarah for breaking a saum at other times, irrespective of how the saum is broken, even if it be a qadaa saum of Ramadaan.

21. It is not proper for a female to insert medication, oil or any substance into the vagina while observing saum. If medicine is inserted in the vagina, the saum breaks. Qadaa becomes waajib but not kaffaarah.

22. If for some reason a midwife (or doctor) inserts a finger into a woman's vagina, or the woman herself inserts her finger in her vagina. Then if the finger is partly or fully removed and then re-inserted, the saum breaks, kaffaarah does not become waajib. If the finger is not re-inserted into the vagina, the saum is not broken. If initially a wet finger had been inserted, the saum breaks.

23. Blood emits from the mouth, which together with saliva is swallowed. The saum is broken. However, if the blood is less than the saliva, and there was no taste of blood in the throat, the saum remains valid.

24. The saum does not break if something was tasted with the tongue and spat out without swallowing. To do so unnecessarily is makruuh. If a woman's husband is extremely bad-tempered, and it is feared that if the salt and water in the food is not correct, the husband will ill treat her, then it is permissible to just taste the saltiness of the food, which will not be makruuh.

25. It is makruuh to chew something to feed a small child except if it is an emergency or if there is a severe need, in which case it is not makruuh.

26. It is makruuh to chew charcoal to cleanse the teeth or to use toothpaste to do so. If any such substance goes down the throat the saum breaks. It is permissible to cleanse the teeth with a miswaak (toothstick) whether the miswaak is dry or fresh. If it is a freshly picked miswaak and its taste is felt in the mouth, then too it is not makruuh.

27. A woman was asleep, or unconscious, or her husband forcefully copulated with her, her saum is broken but she need only perform the qadaa saum and no kaffaarah is necessary. The husband will have to perform qadaa as well as kaffaarah.

28. A person forgetfully ate something, then thought that his saum was broken and purposely ate. The saum is broken. Only qadaa is waajib but no kaffaarah. If, one knows the rule, and after forgetfully eating, one purposely ate again, then like the case of copulation, kaffaarah is also waajib.

29. One involuntarily vomited or had a wet dream and thought the saum is broken, then purposely ate something, breaking the saum. Qadaa is waajib but not kaffaarah. If one knows the rule that the saum does not break in such a situation and then purposely ate, both qadaa and kaffaarah is waajib.

30. Surmah (kuhl – antimony) is applied to the eyes, or fasd (phlebotomy) treatment is taken, or oil applied, and one, thinking that the saum is broken, ate purposely, both qadaa and kaffaarah is waajib.

31. If a man poured some oil into the opening of his male organ, this does not reach the interior of the body and the saum is not broken.

32. In the following cases qadaa and not kaffaarah is waajib, viz. if a man had sexual relations with a corpse; or with such a young girl with whom under normal circumstances one is not attracted sexually; or with an animal; or hugged; kissed; or masturbated as a result of which manii (sperm) comes out, the saum breaks. Kaffaarah is not waajib.

33. The person, on whom all the preconditions of saum becoming waajib are found, made the niyyah before subh saadiq (true dawn) while observing saum. Then he purposely through the mouth, puts into the stomach a thing which humans normally use as food or medicine, even though it may be minute like a sesame seed; or copulated; and the front section of the penis entering the vagina (or anus) even without the ejaculation of manii, all this breaks the saum. Both qadaa and kaffaarah become waajib.

34. On people who have the habit of smoking huqqah (hubble-bubble), or who smoke it for some sort of benefit while in the state of saum, both qadaa and kaffaarah are waajib.

35. When a woman causes a non-baaligh child or an insane person to copulate with her, qadaa and kaffaarah are waajib on her.

36. It is not a necessary condition that both male and female be sane for copulation. If one is insane and the other sane, then kaffaarah is waajib on the sane person.

37. Manii (sperm) ejaculated during sleep is called ihtilaam. If saum is observed without performing ghusl, the saum does not break. Similarly, if by looking at a female, or seeing her private parts, or by just fantasizing, manii is ejaculated, the saum remains valid.

38. It is makruuh to kiss a woman or to embrace her during saum if there is fear of ejaculation, or losing control over one's emotions, or fear of it leading to sexual relations. If there is no fear of these things happening, it is not makruuh.

39. It is makruuh to kiss a woman by taking her lips into one's mouth, or to indulge in heavy petting, embracing body to body in the nude without penetration, whether there is fear of ejaculation or sexual intercourse or not.

40. If a muqiim (resident) after having made the niyyah of saum becomes a musaafir, and having gone a short distance, returns home to get something that was forgotten, then breaks the saum, kaffaarah becomes waajib, because at that moment the person is not yet considered a musaafir, as the person did not leave with the niyyah of remaining at the destination, nor did the person remain there.

41. If kaffaarah became waajib for a reason other than sex, and before kaffaarah was observed, another kaffaarah becomes waajib, then only one kaffaarah is compulsory, even if the two kaffaarahs are of two separate Ramadaans. However, if due to sex many saum became nullified in one Ramadaan, only one kaffaarah is obligatory, but if it is of several Ramadaans, then kaffaarah of every Ramadaan must be observed separately.

42. If accidentally a saum of Ramadaan breaks, one should thereafter refrain from eating and drinking for the rest of day. It is waajib to practice abstention just like those who are observing saum.

43. If a person did not make niyyah of observing saum and thus ate and drank, there is no kaffaarah. Kaffaarah is obligatory if a saum becomes nullified after having made niyyah.

Kaffaarah (penalty for breaking saum)

1. The kaffaarah for breaking the saum of Ramadaan is that the person should observe saum for sixty days (two months) consecutively. It is not correct to observe kaffaarah saum a few at a time. If for any reason one or two days saum are missed in between, the saum cycle of two months must be commenced all over again. A woman, who due to menstruation, missed saum in between is absolved from repeating the saum cycle. She must immediately resume saum after becoming taahir from her hayd.

2. However if due to nifaas, a woman misses some saum in between, she could not observe the kaffaarah saum consecutively. She will have to start all over again and complete the two month's saum.

3. If through pain or illness one was unable to observe saum consecutively, then too after recuperating the kaffaarah must be commenced all over again.

4. If in between observing kaffaarah, Ramadaan commenced, the kaffaarah is not correct. Kaffaarah saum must be observed all over again.

5. If a person does not have the strength to observe kaffarah saum, sixty miskiin (very poor) persons must be fed a full meal morning and evening which will fill them adequately.

6. The kaffaarah is not valid if very small children are counted among the masaakiin (pl. of miskiin). Only adults are counted when feeding the masaakiin.

7. It will be correct to feed the masaakiin with wheat bread only. If the bread is made of barley, millet, maize, corn etc., the meal should also include daal, curry etc., with which to eat the bread.

8. If food is not fed, it is permissible instead to give the sixty masaakiin uncooked raw grain. Each miskiin must be given the amount that is given for sadaqatul fitr. Sadaqatul fitr will be explained in chapter of zakaah In-Shaa-Allaah.

9. It is permissible to give the monetary value of the grain.

10. When one says to another, fulfil kaffaarah on my behalf by feeding sixty masaakiin. The person fed or gave uncooked raw grain as requested. The kaffaarah is fulfilled. If one fufils kaffaarah on behalf of another without the persons request, the kaffaarah is not correct.

11. Kaffaarah is valid if one miskiin is fed morning and evening for sixty days, or alternately if uncooked raw grain or its monetary value is given for sixty days.

12. If a miskiin is not fed consecutively for sixty days. A few days in between are missed. There is no harm.

13. If grain for sixty days are calculated and given to one faqiir (miskiin) on one day, it will not be correct. In the same manner if one faqiir is given the required portion sixty times in one day, it is still not correct and will be regarded as one day only. Fifty nine miskiins will still have to be fed. The same rule applies if money had been given. It is not correct to give one faqiir more than the kaffaarah amount stipulated for one day.

14. If a miskiin is given an amount less than that stipulated for sadaqatul fitr, the kaffaarah will not be valid.

15. If two or three saum of one Ramadaan were broken, only one kaffaarah is waajib (obligatory). If the two broken saums are of different Ramadaans, two separate kaffaarahs will have to be given.

When breaking the saum is permissible

1. If one suddenly becomes so ill that if the saum is not broken, one may lose one's life or the illness may increase, it is permissible to break the saum. The same rule applies when unbearable pain suddenly arises in the stomach, or when one is bitten by a snake, or when such thirst overtakes a person which could cause one to lose one's life.

2. It is permissible for a pregnant woman to break her saum if something happens which causes danger to her life and the child she is bearing.

3. While cooking food, unbearable thirst is experienced, and it is so intense that loss of life is feared. It is permissible to break the saum. If one commits this act deliberately, one is a sinner.

4. A person is so ill that observing saum will be detrimental to his health. If it is feared that by observing saum the illness will intensify; recovery delayed; or death will occur, then saum should not be observed. After recovery qadaa of missed saum must be observed. However, by merely thinking one is ill and abstaining from observing saum is not correct. If a religiously observant Muslim doctor, physician or hakiim says observing saum is harmful, then one should abstain from observing saum.

5. If the hakiim or doctor is a non-Muslim or is non-observant of the sharii'ah, then such doctor's verdict cannot be relied upon.

6. If a hakiim or doctor did not give any diagnosis, but a person feels from previous experience that observing saum could be harmful, and one feels some signs of this happening, saum should not be observed. If one has no personal experience nor knowledge of the illness, then one cannot rely upon one's own ideas of possible harm. If a person broke the saum without the advice of an Allaah-fearing hakiim or doctor, then kaffaarah will have to be observed. If saum is not observed at all, one will be committing a sin.

7. After recuperating from illness, weakness is still experienced, and there is a predominant honest feeling that if saum is observed, one will again become ill, then it is permissible to not observe saum.

8. During safar (travel), it is permissible not to observe saum. At a later date qadaa of the missed saum must be observed.

9. During safar, no difficulty is experienced if saum is observed, as is the case of travel by rail, air etc. and by evening one will reach home safely, or, one also possesses all necessities of comfort. In such circumstances, it is recommended to observe saum. If saum is not observed and qadaa observed thereafter, there is no sin but one will be deprived of the virtues and barakaat of Ramadaan. If difficulty is experienced due to observing saum during travel, it is preferable not to observe saum.

10. If a person does not recuperate from illness and dies, or dies while on travel before returning home, he will not be accountable in the hereafter for missed saum, because he did not have the opportunity to observe the qadaa saums.

11. During illness, ten saum were missed, then one became well for five days. Qadaa was not observed yet. Five days are pardoned, and the person will not be questioned. If one remained well for ten days, then one will have to account for the ten days. Therefore, it is important to carefully rate the amount of saum one will have to account for, and to make a wasiyyah to fulfil the fidyah for the missed saum if one possesses wealth.

12. When niyyah (intention) is made of staying at a place for fifteen days or more, then it is not permissible to abstain from observing saum, because, according to the sharii'ah one does not remain a musaafir. If one decided to stay for less than fifteen days, it will be correct to abstain from saum.

13. A woman in pregnancy and a breastfeeding woman who fears for her own or the child's life, should not observe saum. Later qadaa must be observed. If a woman's husband is wealthy and able to hire a wet nurse to suckle the child, she cannot abstain from observing saum. However, if the child does not drink the milk of anyone except the mother, the mother may refrain from observing saum.

14. A wet nurse was employed to suckle a baby. For some reason,

due to Ramadaan and saum there is fear for the life of the child. It is correct for the wet nurse to abstain from saum.

15. A woman's hayd began; or she gave birth to a child, whereby nifaas starts, then while hayd and nifaas remains, observing saum is not permissible.

16. A woman becomes clean from hayd or nifaas at night, saum must not be abstained from the next morning, even if she did not bath at night. She must observe saum and bath in the morning. If her hayd stopped after the morning has passed, it is not correct to make niyyah for that days saum. She should refrain from eating and drinking during that day and remain like those observing saum.

17. A person embraced Islaam during the day, or a young person reached puberty, then for the remaining portion of the day it is not correct to eat and drink. If they ate something qadaa is not waajib.

The giving of fidyah (ransom)

1. For one who has reached old age and does not possess the strength to observe saum, or becomes so ill that there is no hope of regaining health to observe saum, it is permissible to not observe saum. For every missed day, a miskiin (poor person) must be given grain to the amount of sadaqatul fitr, or given a full, satisfying meal morning and evening. This is termed fidyah in the sharii'ah. Instead of grain or meals it is valid to give its monetary value.

2. If grain is given in small quantities to a few poor people, it is correct.

3. If strength and health is subsequently regained, qadaa of all missed saum will have to be observed. A separate reward will be received for the fidyah already given.

4. A person had many unfulfilled qadaa, and had made wasiyyah before death that fidyah be given for missed saum. The walii (guardian, trustee) must give the fidyah from the deceased person's estate. After paying for funeral expenses incurred for kafan, burial, debt etc., whatever residue is left from one-third of the estate, it will be waajib to fulfil the qadaa if there is enough funds.

5. If no wasiyyah was made and fidyah is given from the walii's (trustee's) personal wealth, there must be hope that Allaah, Most High

will accept the fidyah and will not censure for the missed s̲iyaam (pl. of s̲aum). It is not permissible to give fidyah from the estate without the deceased's was̲iyyah. In the same manner if the required fidyah is more than one-third of the estate, then even though was̲iyyah was made it will not be permissible to give fidyah from more than one-third of the estate without the express willingness of all the heirs. If all the heirs willingly agree, then in both situations it is correct to give the fidyah. In the s̲h̲arii'ah the permission of a non-baalig̲h̲ heir has no credence. If the adult (mature) heirs fulfil the fidyah separately from their share, it is permissible.

6. The same rule applies for was̲iyyah made regarding the qad̲aa of unperformed s̲alaah.

7. The fidyah for one unperformed s̲alaah is the same as for a missed s̲aum (fast). For the five daily fard̲ s̲alaahs and witr the amount is 11 kg. (eleven seer) grain. This may be given in equivalent monetary value. As a precautionary measure it is recommended to give 12 kg. (twelve seer) grain.

8. Zakaah is outstanding on a person which had not been distributed. It is waajib on the heirs to distribute the zakaah if was̲iyyah had been made. If was̲iyyah was not made, and the heirs on their own distribute the outstanding zakaah on behalf of the deceased, the zakaah will not be considered discharged.

9. Should a walii observe qad̲aa s̲aum on behalf of the mayyit (deceased), or perform qad̲aa s̲alaahs, it will not discharge the qad̲aa obligation.

10. It is a great sin to purposely, without any valid excuse, refrain from observing s̲aum on any day of Ramad̲aan. One should not think qad̲aa will be observed later. Sayyidinaa Rasuulullaah, s̲allallaahu 'alayhi wasallam, has said that should a person continuously observe s̲aum the whole year in recompense for a missed day of Ramad̲aan, as much reward will not be received as that received for the s̲aum of one day of Ramad̲aan.

11. If a person through evil misfortune or disobedience does not observe s̲aum in Ramad̲aan, such a person should not eat or drink openly in front of people and make the sin publicly known. Sinning and announcing the sin publicly is an additional sin.

12. When a boy or girl is able to observe saum, they should be commanded to observe saum. When they are ten years old, they should be punished for not observing saum. If they are not able to observe all the saum, they should observe as many days as they are able.

13. If a non-baaligh boy or girl after having made niyyah to observe saum, breaks it, they will not observe qadaa. If after beginning salaah they break it, they must repeat the salaah.

I'tikaaf (seclusion in the masjid)

1. I'tikaaf is to seclude oneself in the masjid from after 'asr salaah shortly before maghrib (sunset) on the 20th Ramadaan until sunset on the 29th or 30th of Ramadaan, when the hilaal (crescent or new moon) for 'eiid is sighted. This is an act for which immense reward is attained.

2. Certain things are necessary for the validity of i'tikaaf:

a. It should be observed in a masjid where jamaa'ah salaah is performed.

b. This seclusion should be with the niyyah of i'tikaaf. I'tikaaf is not valid if one stays in the masjid without any fixed aim. For the niyyah to be correct the person should be a Muslim and of sound mind.

c. To be free from janaabah, hayd and nifaas.

3. The best and most noble place to perform i'tikaaf is the Masjidul Haraam in Makkah Mukarramah, then Masjidun Nabawii in Madiinah Munawwarah, then Masjidul Aqsaa in Baytul Muqaddas (Jerusalem) and thereafter the jaami' masjid wherein salaah is performed with jamaa'ah. If no jamaa'ah salaah is performed in the jaami' masjid, then the best is that masjid of the locality (where jamaa'ah salaah is performed). Thereafter comes that masjid where the congregation for salaah is greatest.

4. I'tikaaf is of three types:

a. Waajib: This is an i'tikaaf performed as a result of a nadhr (vow). This may be an unconditional nadhr, like when a person simply makes a nadhr to perform i'tikaaf, or it may be conditional when a nadhr is made that

if a certain thing is attained (or waived off), i'tikaaf will be performed.

b. Sunnah mu-akkadah ('alal kifaayah): This is the i'tikaaf that is performed every year in the last ten days of Ramadaan, as Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, used to do, and which is reported in authentic ahadiith. However, if some among the community perform a sunnah mu-akkadah, others in the community are absolved from performing that duty.

c. Mustahab: This i'tikaaf is performed at any time, other than the last ten days of Ramadaan, e.g., the first or second ten days of Ramadaan or at any other time.

5. For waajib i'tikaaf, saum is a shart (compulsory prerequisite). When observing this i'tikaaf it is necessary to be in a state of saum. If niyyah is also made that saum will be observed, it becomes incumbent to observe saum. For this reason if a person decides to perform (waajib) i'tikaaf by night, it will be considered absurd, because the night is not a time for saum. If niyyah to perform i'tikaaf for a day and night, or for a couple of days is made, the nights will be included and it will be necessary to perform i'tikaaf for those nights as well. It is not necessary that niyyah should be made for, fasting exclusively for the sake of i'tikaaf even if it be for a special object. For example, if a nadhr (vow) is made to perform i'tikaaf in Ramadaan, then the saum of Ramadaan is sufficient for it. It is however necessary that the saum must be waajib. Nafl saum will not suffice. For example, if nafl saum is observed and later that day a vow is made to perform i'tikaaf, it is not correct.

A person made nadhr to perform i'tikaaf for the whole month of Ramadaan, then for some reason is unable to do so, then performing that i'tikaaf in any other month is correct, on condition that saum is observed consecutively during the i'tikaaf.

6. During masnuun i'tikaaf one is in the state of saum, therefore it is not necessary to conceal the saum.

7. As a precaution saum is a shart (compulsory prerequisite) in mustahab i'tikaaf, but the most reliable verdict is that it is not a prerequisite.

8. Waajib i'tikaaf must be for at least one day and the maximum may be for as many days as the niyyah is made. Sunnah i'tikaaf is for the full duration of the last ten days of Ramadaan. There is no time limit stipulated for mustahab i'tikaaf, it may be for less than one minute.

9. During i'tikaaf two types of acts are haraam. By committing them, waajib and masnuun i'tikaaf become faasid (nullified). Qadaa will have to be observed. If it is a mustahab i'tikaaf, it becomes faasid immediately.

The first act prohibited in i'tikaaf:

To leave the masjid without an external cause which is a common necessity, whether it be natural or shar'ee, for example, to relieve one's self, ghusl (sunnah bath) of janaabah, eating. Eating is included among the natural requirements. If there is none to bring food, then one may go out of the masjid to have meals. Proceeding to another masjid to attend jumu'ah salaah (if jumu'ah is not performed at the mu'takif's masjid) is included among the shar'ee needs.

10. Only the necessity for which one leaves the masjid of i'tikaaf, should be completied, thereafter one must immediately return, and not remain out of the i'tikaaf masjid unnecessarily.

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, has said, "Whosoever performs i'tikaaf for Allaah's sake for one day, Allaah will open up the distance of three trenches between him and the fire of hell." —Tabraanii.

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, has said, "To strive and fulfil a need of a fellow Muslim, is a means of gaining more reward than the i' one musttikaaf of ten years." —Tabraanii.

"The reward for performing i'tikaaf for the last ten days of Ramadaan is equal to the reward of two hajj and two 'umrahs." —Bayhaqii.

11. If a person in i'tikaaf leaves the masjid to proceed for jumu'ah in another masjid, and decides to remain and complete the i'tikaaf there, it will be permissible but makruuh.

12. It is not permissible to leave the masjid forgetfully for even a minute.

13. To leave the place of i'tikaaf for such a reason which is not of frequent occurrence is against the spirit of i'tikaaf. For example, going to visit a sick person; or to save one drowning; or to extinguish a fire; or for fear of the masjid caving in. In all these cases it is not a sin to depart from the masjid. In fact it is compulsory to save a life. However, whatever the cause, the i'tikaaf is not valid anymore. When a person leaves the masjid to fulfil some diinii or natural need, and during that exit, either before or after, if one visits a sick person, or attends a janaazah, there is no harm.

14. When proceeding from the i'tikaaf to perform jumu'ah (at another masjid). He should reach there in time to perform two rak'ahs tahiyyatul masjid and the sunnahs before jumu'ah. It is permissible to remain there and complete the sunnahs after jumu'ah. The time required for performing salaah before jumu'ah is left to the estimation of the mu'takif. If the estimated time required was not correct and one reached there earlier, there is no harm.

15. When a person is forcibly removed from the mu'takif (place of i'tikaaf – masjid), the i'tikaaf is broken. For example, due to criminal activity a warrant is issued by the authorities and a policeman comes to the masjid, arrests and takes away the accused, or a creditor comes to claim a loan and forcibly takes the person out of the masjid.

16. Similarly the i'tikaaf is terminated if a person went out of the masjid to fulfil some shar'ee or natural need, and on the way is prevented by someone or becomes ill, and as a result returns somewhat late to the masjid. Then too the i'tikaaf is terminated.

The second act prohibited during i'tikaaf:

Copulating, whether intentionally or forgetfully, or not remembering that one is in i'tikaaf and indulging in sexual activity in or outside the masjid. In all such situations the i'tikaaf becomes null and void. Those acts that leads to sex like kissing, petting, hugging etc. during i'tikaaf are also prohibited but does not nullify the i'tikaaf until there

is ejaculation. If sperm ejaculates by only fantasising the i'tikaaf is not nullified.

It is makruuh tahriimii during i'tikaaf, to occupy oneself in worldly affairs without need. For example, unnecessarily buying and selling or doing business. If it is of utmost importance, like there is no provisions in the home and there is no other reliable person to do the purchasing, then in such a circumstance it will be permissible, but in no situation is it permissible to bring the merchandise into the masjid if there is fear of soiling or blocking space. If there is certainty that this will not happen, then according to some sources it will be permissible.

During i'tikaaf it is makruuh tahriimii to remain absolutely silent. Do not indulge in nonsensical conversation. Avoid falsehood, backbiting, accusation etc., but make excessive tilaawah (recital) of the Qur-aan Kariim; learn or teach the diin; or spend time in diinii activities.

If a female observes i'tikaaf, it should be observed where a special place for salaah has been designated. She should remain there and should only leave to relieve herself. If there is one who will provide food and drink, she must not leave and have her meals at the same designated place. She should at all times remain at that designated place and sleep there too.

If during i'tikaaf hayd or nifaas is experienced, discontinue the i'tikaaf.

During i'tikaaf it is not proper for her to copulate, or pet, or lustfully hug her husband.

KITAABUS ZAKAAH

Zakaah

One who possesses wealth and does not give its zakaah will be a great sinner by Allaah Ta'aalaa. On the day of qiyaamah the person will be punished severely.

1. One in possession of the nisaab, i.e., 612.35 grams (52½ tolas) silver, or 87.479 grams (7½ tolas) gold, which remains in one's possession for a full lunar year, must give zakaah on this amount. If the amount is less, zakaah is not waajib.

2. 93.5 grams (eight tolas) of gold was in one's possession for four or six months then it got lost. After a few months it was found. Zakaah is waajib on the gold. When a person possesses wealth at the beginning and end of a year and for some time during the year the wealth decreases, zakaah is not pardoned. Decreasing of wealth in between the year does not absolve one from zakaah.

3. If one possessed 93.5 grams gold, but before the year ended it was lost or used. The gold was not therefore held for a full lunar year, zakaah is not waajib.

4. If one possesses 2000 dirhams (or the local currency of a country) and owes 1000 dirhams, zakaah is waajib on 1000 dirhams.

5. Zakaah is waajib on silver utensils, jewellery, silver lace or embroidery, whether these are used, or worn occasionally, or not used at all. Zakaah is waajib on everything that contains gold or silver. If it is less than the stipulated nisaab mentioned above, zakaah is not waajib.

6. Silver which is not pure and has not been refined. For example, tin is mixed with silver. If the silver is more than the tin, it will be considered as silver. If the tin (or other metal) is more, it will not be regarded as silver. The laws that govern brass, copper, iron, tin, etc. will apply.

7. A person has some silver and some gold. If the two amounts are put together and its monetary value adds up to that of nisaab, zakaah is waajib. If not, zakaah is not waajib.

8. One has 2000 dirhams (or the local currency of a country) in

excess of one's needs. Before the end of a complete lunar year, 500 dirhams was added to the amount. The extra 500 dirhams must not be calculated separately for zakaah purposes. It is waajib to calculate zakaah on 2500 dirhams when zakaah of the original 2000 dirhams is due.

9. A person has 1000 grams of silver and before the year ends receives 2 to 100 grams of gold. Zakaah of the gold will not be calculated separately. The value of the gold must be added to the silver. At the end of the year when calculating zakaah of the silver, the value of the gold must also be added. It is waajib to give zakaah on both the silver and gold.

10. Besides gold and silver, whatever is made of iron, steel, bronze, copper, tin, etc., also clothing, shoes, utensils, merchandise, etc. must alsobe considered. If these are for commercial (trading) purposes and its value is that of nisaab, (i.e., 612.35 grams of silver or 87.479 grams of gold) and remains in one's possession for a complete lunar year, zakaah is waajib. If the value is less, zakaah is not waajib.

11. Merchandise goods are those which are purchased with the intention of trading (buying and selling). If one has purchased something for household use, or purchased rice etc. for a wedding and then sold it, it will not be regarded as trading and zakaah is not waajib on this amount.

12. If a loan has been given to someone, zakaah is waajib on the loaned amount.

Loans are of three types:

a. Cash, gold or silver was given as a loan, or merchandise was sold and payment is still outstanding. The debt is paid after a year or several years. If the debt equals the amount on which zakaah is due, it is waajib to give zakaah for all the previous years. If the debt is paid in instalments, zakaat must be paid on the instalments received.

b. If cash was not given as a loan, nor was goods of trade sold, but articles that are not for trade were sold, like clothingand householdgoods,andpaymentisdue.Thevalue of the debt is that on which zakaah is waajib. The debt was paid after a few years. Zakaah for the previous years is waajib.

c. Mahr (dowry) from the husband was outstanding, and was received after many years. Zakaah becomes due a year after receiving the mahr. Zakaah for the previous years is not waajib. If the husband has the mahr in his possession, zakaah is waajib after a year.

13. A wealthy person on whom zakaah is waajib, gives the due zakaah before the year ends. The zakaah is valid.

14. Zakaah had become waajib on wealth and had not been given yet. Before giving the due zakaah, the wealth was stolen or lost. Zakaah for this amount is pardoned. If the wealth was given to another or is purposely destroyed, zakaah remains waajib.

15. Before the year ends, if all the wealth is given away in charity, zakaah is pardoned.

16. A person possessed 2000 dirhams. After a year 1000 dirhams was stolen or given in charity. The zakaah of the 1000 dirhams is exempted. Zakaah is only due on the remaining 1000 dirhams.

Discharging zakaah

1. Zakaah must be discharged as soon as a complete lunar year elapses on zakaatable wealth. Do not delay the performing of good deeds, as death may occur suddenly, and its accountability remains hanging on the neck. If zakaah was not discharged after a year when it was due, and another year passed, the person has sinned. Repent and discharge the zakaah for both years. Briefly, it must be discharged during the person's lifetime and not left undischarged.

2. It is waajib to give zakaah at the rate of one fortieth or two and a half percent on excess wealth, i.e. for every forty dirhams, one dirham zakaah.

3. It is makruuh to give one faqiir (poor person) an amount on which zakaah becomes waajib. If the amount had been given, the zakaah is valid. It is permissible and not makruuh to give a lesser amount of zakaah to one faqiir.

4. One came to ask for a loan and it is known that the person is so poor and penniless that the loan will not be repaid, or the person

is one who does not repay loans. Then, such a person is given a loan from zakaah funds with the intention of discharging zakaah. The zakaah is discharged, even though the recipient thinks that a loan has been given.

5. A poor man owes you 100 dirhams and the zakaah due on your wealth is also 100 dirhams or more. The debt of the poor man is forgiven with the intention of taking the due zakaah amount instead. The zakaah is not discharged. If the amount of 100 dirhams is given to the poor man with the intention of zakaah, the zakaah is valid. It is now permissible to accept the 100 dirhams in repayment of the loan.

6. It is permissible to give the zakaah amount to another person to discharge. If the person while discharging the amount does not make niyyah (intention) of zakaah, the zakaah is valid.

7. If a person is asked to pay a stipulated amount of zakaah on one's behalf and the person discharged the zakaah as requested, zakaah has been discharged. The outstanding amount given in zakaah shall be collected by the person who discharged it.

Zakaah on produce of the land

1. A town was occupied by kaafirs (non Muslims), then Muslims occupied it by conquering it. Islaam flourished in that town. The Muslim ruler distributed the land among the Muslims. Such land in the sharii'ah is termed 'ush-rii. All land in Arab countries are 'ush-rii.

2. If the 'ush-rii land is in one's possession for generations, or purchased from a Muslim who also possessed it for generations. Zakaah ('ushr) is waajib from the produce of such land. If the land is not irrigated but crops are grown by rain water only, or produce is planted on the edge of a river, dam or sea shore and not irrigated, then it is waajib to distribute one tenth of the produce of that farm. If the land is irrigated manually or mechanically, it is waajib to discharge as zakaah one twentieth percent of whatever produce is harvested, be it little or more.

3. The above rule applies to grains, greens, vegetables, fruit, flowers, etc.

4. Honey extracted from 'ush-rii land, mountains, or jungles is also liable for waajib zakaah.

5. If a kaafir purchases 'ushrii land, it does not remain as 'ush-rii land. Later if a Muslim purchases that land or acquires it by other means, it will still not be 'ush-rii land.

6. The discharging of the tenth or twentieth percent of 'ush-rii land produce rests on the owner, partner or cultivator. Both the owner and cultivator must discharge the 'ushr from their share.

To whom is it permissible to give zakaah

1. One who possesses the nisaab, (i.e., 612.35 grams (52½ tolas) of silver, or 87.479 grams (7½ tolas) gold), or its equivalent value, is regarded as wealthy in the sharii'ah. It is not halaal for such a person to accept zakaah nor consume it. One who has belongings in excess of one's basic needs to the value of nisaab, which is not for trading purposes, is also regarded as wealthy. It is also not halaal for such a person to accept or consume zakaah.

2. One who has less wealth, or no wealth, i.e., provisions for a day, is termed a poor person. It is permissible to give zakaah to such people, and it is also correct for such people to accept zakaah.

3. Large cooking pots, large carpets, and large tents which are used occasionally at weddings etc., or when needed, are not included in the basic needs of a person.

4. Among the basic daily needs of a person are the house in which one lives, the clothing one wears, servants who help around the house, and household articles that are in use. The possession of these, whatever their value, does not make one a wealthy person. Such a person may be given zakaah (if the need arises). Similarly, a scholar who has kitaabs (books) for research and teaching, these are regarded as part of the scholar's basic needs and he may therefore receive zakaah.

5. A person has a couple of houses, which are rented and lives on its rental income, or has a couple of villages from which income is received. However, one's children and dependants are so many that they do not live comforkaahtably, but with hardship. Nor does the person have an alternate income which makes zakaah waajib. It is correct to give such a person zakaah.

6. A person possess one thousand dirhams (or the local currency of a country) in cash, but has to pay a debt of a thousand dirhams or

more. It is permissible to give such a person zakaah. If the debt is less than a thousand dirhams, then observe the amount which is left after repaying the debt. If the amount left makes zakaah waajib, the person cannot be given zakaah, but if the amount is less, giving the person zakaah is permissible.

7. A person is wealthy at the place of domicile. While on a journey it so happens that no funds remain for expenses, due to the funds being stolen or lost. No means are available to return home. It is permissible to give such a person zakaah. Similarly, if a haajii's money depletes en route, in spite of being wealthy at home, it is correct to assist the haajii with zakaah.

8. It is not permissible to give zakaah to a kaafir (non Muslim). It may only be given to a Muslim. Apart from 'ushr, sadaqatul fitr, nadhr and kaffaarah, all other charity may be given to non Muslims.

9. It is not correct to use zakaah for the building of a masjid, or for the kafan requirements of a destitute person who has no family or heirs, or to settle the debts of any deceased person, or for any other righteous deed. Zakaah can only be given to a person who is eligible, otherwise it is not considered discharged.

10. It is not permissible to give zakaah to one's ancestors, e.g., father, mother, paternal and maternal grandfather and grandmother, paternal and maternal great grandfather and great grandmother, etc. Similarly, zakaah cannot be given to the wife or husband, children, grandchildren and great grandchildren.

11. Apart from the above relatives, zakaah may be given to other relatives, e.g., brother, sister, niece, nephew, cousins, (paternal and maternal) uncle, aunt, stepfather, stepmother, father-in-law, and mother-in-law.

12. It is not permissible to give zakaah to a non-baaligh child of a wealthy person. After the boy or girl become baaligh and are not wealthy themselves, it is permissible to give them zakaah.

13. If a non-baaligh child's father is poor and mother wealthy, it is permissible to give zakaah to the child.

14. It is not permissible to give zakaah and monies of nadhr, kaffaarah, 'ushr and sadaqatul fitr to Sayyids, 'A-lawiis, the offspring of

Sayyidinaa 'Abbaas, Sayyidinaa Ja'far, Sayyidinaa 'Aqiil or Sayyidinaa Haarith bin 'Abdul Mut-talib, radiyallaahu 'anhum. Besides these other khayraat (charity) may be given to them.

15. It is permissible to give zakaah to one's servant, employee, wet nurse, or a breastfeeding woman, etc., but it should not be given in lieu of a salary for services rendered. It could be given as a gratuity or honourary, with the niyyah (intention) of zakaah.

16. It is permissible for a woman to give zakaah to one she had breastfed, and likewise it is also permissible to give zakaah to a foster mother who had breastfed a person.

17. If a man owes his wife a thousand dirhams (or the local currency of a country) mahr (dowry) which, because of poverty he cannot settle, then it is permissible to give zakaah to such a woman. If the husband is well-off but does not give her the mahr, or she absolved him from paying it, then she may be given zakaah. However, if there is hope that the husband will pay the mahr when requested and will not hesitate, such a woman is not eligible for zakaah.

18. Zakaah was given to someone who was considered poor. Later is was found that the person is well-off, or a sayyid, or, zakaah was given to someone during a dark night, then it became known that the person is a close relative to whom zakaah cannot be given. In all these cases zakaah is discharged and not waajib to repeat. However, if the recipient knows it is zakaah, and it is not permissible to accept it, it must not be accepted and returned. On the other hand, if it became known that the zakaah was given to a non-Muslim, the zakaah is not valid and will have to be given again.

19. If one is in doubt as to whether a certain person is poor or well-off, then until it is not ascertained, zakaah should not be given. If the zakaah had already been given without ascertaining before, then if the heart inclines that the person is eligible, the zakaah is valid. If the heart inclines that the person is wealthy zakaah is not valid. The zakaah will have to given again. If it is found that the person is really poor, the zakaah is valid and zakaah will not have to be given again.

20. When distributing zakaah, as well as sadaqah, lillaah etc., it is preferable to first consider one's relatives. However, they should not

be told that the sum is zakaah or sadaqah, etc., to avoid embarrassing them. The hadiith states that giving charity to relatives earns one a double reward - one for the charity and the other for assisting one's relatives. Any excess amount should be given to other poor and needy.

21. It is makruuh to send zakaah of one town to another, except if one's relatives reside in another town, or if people of another area are more needy, or to people who are engaged in diinii (religious) activities. In such cases it is not makruuh as there is great reward in assisting students and scholars of the diin.

Zakaah on animals

1. It is a shart (compulsory prerequisite) that a full lunar year passes before zakaah becomes fard.

2. One type of animal on which zakaah is fard are called saa-imah. The description of saa-imah animals is that it must freely graze in open fields for the major part of the year, and not be fed in stables. If for half the year animals are left to graze freely in the fields, and for the rest of the year are fed in stables, they are not saa-imah animals. Similarly, if grass etc., is cut and brought to the animals, whether at a price are not, they do not fall in the category of saa-imah.

Zakaah on saa-imah animals

1. The saa-imah (open field gtazing) animals on which zakaah has to be paid are camels and she-camels, cattle, oxen, buffaloes, goats and sheep. There is no zakaah on game (wild) animals like deer, antelope, etc. If the game animals are kept for commercial purposes, zakaah is fard on its income. Animals born as a result of a union of a wild animal and domesticated animal will be regarded as a domesticated animal if the mother is domesticated. For example, an offspring is born by the union of an ewe and deer, it will be considered an ewe. An animal born from a cow and antelope will be considered a cow.

2. If lambs are alone without their mothers, zakaah is not fard on them. If there are full-grown animals with them then zakaah becomes fard. That fully-grown animal will be given in zakaah. If the fully grown animal dies after completion of one full year, zakaah falls away.

3. There is no zakaah on waqf animals.

4. Zakaah will be due on horses that are saa-imah and consist of males and females. A dinaar per horse must be given, or the value of all the horses must be calculated, and a fortieth or two and half percent of their value must be given in zakaah.

7. There is no zakaah on donkeys and mules if they are not kept for trade purposes. (If they are kept for trading, zakaah is payable).

The nisaab of camels

1. Zakaah is only fard if one possesses five camels. For less than five camels there is no zakaah. The zakaah on five camels is to give one goat (or sheep). For ten camels, two goats; for fifteen, three goats; for twenty, four goats are fard. The goats given may be either male or female and must not be less than a year old.

2. If a camel is given in zakaah it must be a female. If a male camel's monetary value is the same as that of a female, the zakaah is valid.

Zakaah on cattle and buffaloes

1. Cows, (bulls, oxen) and buffaloes are in the same category. The nisaab of both are the same. If cattle and buffaloes are put together and the nisaab is reached, they should be put together to calculate the zakaah. For example, there are twenty cows and ten buffaloes, both will be put together to complete the nisaab of thirty. Zakaah will be given from the animal that is in the majority. If cows are more, a cow has to be given in zakaah. If buffaloes are more, a buffalo has to be given in zakaah. If both animals are equal in number, then the cheapest animal of the two categories which is regarded as more valuable must be given, or the most expensive animal of the category which is regarded as less valuable must be given as zakaah. For thirty cows/buffaloes a young male or female one-year-old calf must be given as zakaah. For less than thirty animals there is no zakaah. For forty cows/buffaloes, a two-year-old male or female calf must be given. When the count reaches sixty, two one-year-old calves must be given. If the count exceeds sixty then for every thirty animals a one-year-old calf, and for every forty animals one two-year-old calf must be given as zakaah.

Note. If buffaloes are regarded as more valuable, and a person decides to give a buffalo as zakaah, a buffalo that is cheap should be given. If one decides to give a cow as zakaah, a cow that is expensive will have to be given as zakaah. Attaching more or less value depends on one's locality. In some places buffaloes have little value, whereas at another locality it has more value. The same applies to cows. Take this into consideration when discharging zakaah.

Zakaah on goats and sheep

1. The same rule applies to goats and sheep, whether the sheep are fat tailed or of an ordinary type. If the total of both reach the nisaab, the zakaah of each may be given separately or on the combined total, and if the nisaab of none of the two reaches the nisaab, but will reach nisaab if the goats and sheep are combined, both shall be put together and zakaah given. Zakaah will be given from the species that is in the majority. If the goats and sheep are equal in number, zakaah may be taken from any of the two species. No zakaah is payable on less than forty goats or sheep. For forty goats or sheep one goat or sheep has to be given. Then for one hundred and twenty one, two sheep or goats. For two hundred and one, three sheep or goats. For four hundred four sheep or goats. For more than four hundred, for every hundred one goat or sheep must be given as zakaah.

2. There is no stipulation of male or female when discharging zakaah of sheep and goats. However, the lambs must not be less than a year old.

Miscellaneous rules regarding zakaah

1. If halaal merchandise is mixed with haraam merchandise, zakaah becomes waajib on all the merchandise.

2. If after zakaah had become waajib to discharge, a person dies without having discharged the zakaah, it will not be distributed from the estate. However, if wasiyyah was made, zakaah will be taken from one third of the estate. If the amount from a third of the estate does not suffice to cover the zakaah, it could be fulfilled from the balance of the estate if the heirs willingly assent.

3. If after a lunar year a creditor exempts a debtor from paying back a loan, the lender will not pay that year's zakaah on the loan.

4. Besides fard and waajib sadaqaat, it is mustahab to give lillaah sadaqah at such times when one's financial means covers one's and one's family needs, otherwise it is makruuh. Similarly, it is makruuh to give away in charity all one's possessions. However, if one is certain and has complete tawakkul (reliance) in Allaah and has patience, and there is no likelihood of the family facing hardships, it will not be makruuh but commendable.

Sadaqatul fitr

1. A wealthy Muslim on whom zakaah is waajib, or zakaah is not waajib, but who possesses wealth in excess of his needs which equal the nisaab of zakaah, it is waajib on this person to give sadaqah on the day of 'eiid, whether his wealth is for trade purposes or not, or if a full year has passed on the wealth or not. This sadaqah is termed 'sadaqatul fitr' (or 'fitrah') in the sharii'ah.

2. A person possesses two houses. The person resides in one, the other is empty or hired for rent. The second house is in excess of one's needs. If the second house equals the value of nisaab, sadaqatul fitr is waajib and this person cannot be given zakaah. However, if the person's income is from the second house, it will be counted among one's necessities, and sadaqatul fitr will not be waajib. The person is eligible to accept zakaah.

To summarise, sadaqatul fitr is not waajib on those for whom it is correct to accept zakaah and sadaqah.

3. A person possesses wealth in excess of one's needs, but is also in debt. If after deducting the debt sum so much wealth is left on which zakaah falls due, the giving of sadaqatul fitr is waajib. If the sum is less than the nisaab value, sadaqatul fitr is not waajib.

4. Sadaqatul fitr becomes waajib at the time of fajr on the day of 'eiid. If one passes away before fajr, sadaqatul fitr will not be waajib on the deceased, nor will it be given from the estate.

5. It is better to dispense the fitrah before proceeding to the musallaa ('eiid-gaah). If not given before the 'eiid salaah, give it after the salaah.

6. If one distributed sadaqatul fitr (fitrah) before 'eiid during Ramadaan, the fitrah is discharged. It is not waajib to give fitrah again.

7. If sadaqatul fitr was not given on the day of 'eiid, one is not pardoned. It must now be given at a later date.

8. It is waajib to give sadaqatul fitr oneself and on behalf of one's non-baaligh children. It is not waajib to give fitrah on behalf of one's baaligh (adult) offspring. However, fitrah should be given on behalf of an insane offspring.

9. Fitrah is also waajib on one who did not for some reason observe the saum of Ramadaan. It is also waajib on one who observed the saum of Ramadaan.

10. If wheat, wheat flour or parched wheat is given as fitrah, slightly more should be given. It is better to give 2kg or more. There is no harm if more is given. Double the amount i.e. 4 kg must be given if barley or barley flour is given.

11. If any other grain besides wheat and barley are given, i.e., chanaa (chickpeas), juwaar (millet), the value must be that of wheat.

12. If wheat (2kg) or barley (4kg) is not given as sadaqatul fitr, it is best if the monetary value is given instead.

13. If sadaqatul fitr is given to one faqiir (poor person), or divided into small portions and given to many faqiirs, both methods are correct.

14. If sadaqatul fitr of various people are given to one faqiir it is valid.

Qurbaanii (Ud-hiyyah)

Great reward is gained for offering qurbaanii. Sayyidinaa Rasuulullaah, sallallahu 'alayhi wasallam, said, "No days are more beloved by Allaah Ta'aala than the days of qurbaanii. During these days performing qurbaanii is the most meritorious deed. While slaughtering, this pious deed is accepted before the drops of blood reaches (falls onto) the ground."

Sayyidinaa Rasuulullaah, sallallahu 'alayhi wasallam, said, "For every hair on the body of the sacrificial animal, one good deed is written."

Hence, if qurbaanii is not waajib on a person, then too for attaining such abundant reward qurbaanii should be performed. For the one whom Allaah has granted wealth, it is suitable and commendable that when performing one's own qurbaanii, that one performs qurbaanii on behalf of deceased relatives. i.e. mother, father etc., for great rewards will reach their souls. Qurbaanii should also be done on behalf of Sayyidinaa Rasuulullaah, sallallahu 'alayhi wasallam, the ummahaatul mu-miniin (mothers of the faithful), one's pious elders. Qurbaanii is waajib on a wealthy person, and if not done, there is none more unfortunate and deprived, and also, one is committing a sin.

When slaughtering, lay the animal facing the qiblah and say the following du'aa:

إِنِّي وَجَّهْتُ وَجْهِيَ لِلَّذِي فَطَرَ السَّمٰوَاتِ وَالْأَرْضَ حَنِيفًا وَّمَا أَنَا مِنَ الْمُشْرِكِينَ ، إِنَّ صَلَوٰتِي وَنُسُكِي وَمَحْيَايَ وَمَمَاتِي لِلّٰهِ رَبِّ الْعَالَمِينَ ، لَا شَرِيكَ لَهُ وَبِذَالِكَ أُمِرْتُ وَأَنَا أَوَّلُ الْمُسْلِمِينَ ، أَللّٰهُمَّ مِنْكَ وَلَكَ

In-nii waj-jah-tu waj-hi-ya lil-la-dhii fa-ta-ras sa-maa-waa-ti wal-ar-da hanii-faw wa-maa a-na mi-nal mush-ri-kiin. In-na sa-laa-tii wa-nu-su-kii wa-mah-yaa-ya wa-ma-maa-tii lil-laa-hi rab-bil 'aa-la-miin. Laa sha-rii-ka la-hu wa-bi-dhaa-li-ka u-mir-tu wa-a-na aw-wa-lul mus-li-miin. Al-laa-hum-ma min-ka wa-la-ka.

"I have turned my face towards Him Who created the heavens and the earth, and I am not one of those who associate partners with Allaah." —al-An'aam 6, 79.

"Say: My worship and my sacrifice and my living and my dying are for Allaah, Rabb of the worlds. He has no partner. This I am commanded, and I am first of those who surrender (unto Him)." —al-An'aam 6, 162 – 163. O Allaah this is from You to You.

Then say "Bismillaahi Allaahu Akbar" and slaughter the animal.

Thereafter say the following du'aa:

اَللّٰهُمَّ تَقَبَّلْهُ مِنِّي كَمَا تَقَبَّلْتَ مِنْ حَبِيبِكَ مُحَمَّدٍ وَّخَلِيلِكَ إِبْرَاهِيمَ
عَلَيْهِمَا الصَّلَاةُ وَالسَّلَام

at-lab-baq-at aam-ak iin-nim uh-lab-baq-at am-muh-aal-lA am-iih-aar-bI ak-il-iil-ahk-aw nid-am-mah-uM ak-ib-iib-ah nim .maal-as-saw ut-aal-as sam-ih-yal-a'

O Allaah accept this offering from me as You have accepted from Your beloved Muhammad and Your friend Ibraahiim, peace be upon them.

Upon whom qurbaanii is waajib

1. Qurbaanii is also waajib during the days of 'eiidul ad-haa. If so much wealth is not possessed qurbaanii is not waajib. If qurbaanii is done tremendous reward is attained.

2. Qurbaanii is not waajib on a musaafir (traveller).

3. The period of qurbaanii begins from the 10th, up to the evening of the 12th Dhul Hijjah. Qurbaanii may be done on any of these days, but the best is the first day (10th Dhul Hijjah), thereafter the eleventh then the twelfth of Dhul Hijjah.

4. It is not permissible to offer qurbaanii before the 'eiid salaah. Qurbaanii must be done after the people have performed the 'eiid salaah. However, a resident of a village may do the qurbaanii at the village after fajr salaah. The residents of a small town and city will do their qurbaanii after the 'eiid salaah.

5. If a town resident sends the qurbaanii animal to a village for slaughtering before the 'eiid salaah, it will be valid, even though the person remains in the town. After slaughtering, the carcass may be delivered to the town and the meat consumed.

6. Qurbaanii is correct if slaughtered before sunset on the 12th Dhul Hijjah. After sunset qurbaanii is not correct.

7. Qurbaanii may be done whenever suitable between the 10th and

12th Dhul Hijjah, whether during the day or night. However, doing qurbaanii at night is not recommended. It is possible that one of the vessels may not be severed correctly, making the qurbaanii incorrect.

8. One was on a journey during the tenth and eleventh, and arrived home before sunset on the twelfth, or intended staying at a settlement for fifteen days or more,(one will not be a musaafir anymore), qurbaanii is waajib on the person. Similarly, one did not have the financial means to perform qurbaanii, hence qurbaanii was not waajib, then before sunset of the 12th wealth was acquired, qurbaanii becomes waajib.

9. It is meritorious to slaughter one's qurbaanii animal oneself. If a woman does not know how to slaughter, she may delegate it to another. She should be present when her qurbaanii is slaughtered. If because of purdah etc., she is not able to be present, there is no harm.

10. It is not necessary to say the niyyah and du'aa audibly when slaughtering the qurbaanii animal. If one intends in the heart that qurbaanii is being done and recites: "Bismillaahi Allaahu Akbar" the qurbaanii is correct. However, if a person knows the du'aa quoted, it is best to recite it.

11. It is waajib to do qurbaanii for oneself only, and not waajib on behalf of one's children. Even if the non-baaligh children are affluent, it is not waajib to do qurbaanii on their behalf, nor by taking the cost from their account.

12. Seven persons may share in the qurbaanii of an ox, cow, buffalo or camel, on condition that all shares are equal and that all of them should have the niyyah for either qurbaanii or aqiiqah. None should have the intention of merely acquiring meat to eat. If any one of the seven participant's share is less, then none's qurbaanii is correct.

13. A cow was purchased for qurbaanii with the intent that if a partner is found the person will be given a share and qurbaanii done. Later some more people joined as partners in the cow. This is correct. However, when purchasing an animal intention was made of slaughtering the animal for oneself and not taking on any participants, it is better not to take any partners in the animal. If one now makes a partner, consider whether the one taking on partners is wealthy and one on whom qurbaanii is waajib, or is he one who is poor and on

whom qurbaanii is not waajib. If the person is wealthy, it is correct. If the person is poor it is not correct

14. A qurbaanii animal got lost therefore a replacement was purchased. Thereafter the first animal was found. If this situation happened to a wealthy person, only one qurbaanii is waajib. If this happened to a poor person, it is waajib to slaughter both animals.

15. Seven persons became partners in a buffalo or cow. When dividing the meat, it should not be done by guess work. Carefully weigh the carcass and give each participant an equal share. It will be a sin if the meat is not shared in equal weights.

16. A goat less than one year old is not allowed for qurbaanii. After it reaches a full year the goat can be used for qurbaanii. Cattle and buffaloes less than two years are not suitable. These must be two-years- old. Camels must not be less than five-years-old. Sheep that are less than a year old but look like a one-year-old healthy animal, may be slaughtered for qurbaanii, otherwise not.

17. An animal that is blind, one-eyed, has one third vision, or less; or has only one ear, or a third or more is cut off; or a third or more of the tail is cut off, cannot be used for qurbaanii.

18. A cripple animal that walks on three feet, and its fourth foot cannot be used to walk, is not suitable for qurbaanii. If an animal can put its leg on the ground when walking and walk by dragging its foot like a cripple, it may be used for qurbaanii

19. An extremely lean and thin animal cannot be used for qurbaanii. If the animal is not very thin it may be used for qurbaanii. It is always better to offer a healthy fat animal.

20. An animal that has no teeth at all cannot be used for qurbaanii. If it has lost some of its teeth, but it has more left than those lost, the qurbaanii will be correct.

21. The qurbaanii of an animal born without ears is not correct. However, if it has small ears, qurbaanii will be correct.

22. An animal born without horns, or if its horns had broken off, can be used for qurbaanii. If the horn is broken from the root, it cannot be used for qurbaanii.

23. It is correct to slaughter castrated goats or sheep.

24. If after purchasing an animal for qurbaanii, the animal develops a fault which renders it unsuitable for qurbaanii, another animal must be purchased for qurbaanii. If the purchaser is a poor person on whom qurbaanii is not waajib, the same animal may be sacrificed. It is not necessary to purchase another animal.

25. One may eat of one's own qurbaanii, give some to relatives, friends, the poor and the needy. It is best to give at least one third to the poor. If only a little of the meat is given to the poor there is no sin.

26. One may either give the skin of the animal as charity, or sell it and give the money in charity. The very same amount received must be given to those who qualify as recipients of zakaah. If one has used the money then gives a similar amount as charity, it is wrong to do so, even though the duty will be considered as having been discharged.

27. It is not permissible to use the money derived from the sale of the skin for masjid work or for any other righteous work. It should only be given in charity to the poor.

28. It is correct to use the qurbaanii skins for personal use. One may tan and use it as a water bag, or a musallaa (sajjaadah, prayer mat).

29. One should not give of the meat, skin or part of the animal to the slaughterer or skinner in lieu of payment. Payment should be given separately. The rope and cloth used for covering the qurbaanii animal should also be given away in charity.

30. A person on whom qurbaanii is not waajib purchased an animal with the intention of slaughtering it as a qurbaanii, it is now waajib to do the qurbaanii.

31. Qurbaanii was waajib upon a person, and all three days of qurbaanii passed without the qurbaanii being done, then the value of a goat or sheep must be given in charity. If a goat or sheep had already been purchased, the same animal must be given in charity.

32. A person made a vow to do qurbaanii if a certain object is achieved. After achieving the object it is waajib to do the qurbaanii, whether one is rich or poor. The meat of the qurbaanii made upon fulfilling a vow cannot be consumed. The whole carcass must be given away to the poor in charity.

33. It is permissible to partake of the meat oneself, or to give to others, of the qurbaanii that is done for the reward of a deceased person. The same rule applies for a qurbaanii done for oneself.

34. If a deceased person had made wasiyyah that qurbaanii should be made from his estate, and in compliance qurbaanii was done from funds taken from the estate. It is waajib to give the whole animal in charity to the poor.

35. If qurbaanii was done on behalf a person who was absent, without any directive from the absent person, the qurbaanii is not valid. The same rule applies if qurbaanii is done where a share is taken in an animal. The qurbaanii of all the participants are null and void.

36. If various persons share one qurbaanii animal and they decide among themselves not to divide the meat among themselves, but to distribute all the meat to the poor, or to cook and distribute it. This is permissible. If the carcass is divided, all the participants must receive an equal share.

37. The skin of the qurbaanii cannot be given as payment. It must be given in charity.

38. It is permissible to give the meat of qurbaanii to a kaafir (non-Muslim), on condition that it is not given for services rendered.

39. If a qurbaanii animal is pregnant, it is permissible to slaughter it for qurbaanii. If the lamb comes out alive, it too must be sacrificed.

'Aqiiqah

1. If a son or daughter is born, it is preferable that the child be named on the seventh day, and 'aqiiqah performed. Through 'aqiiqah, the child will in-shaa-allaah be protected from calamities.

2. The rule for 'aqiiqah is that if it is a male infant, two goats or two sheep, or two shares in a qurbaanii animal must be slaughtered. For a female infant one goat or one sheep, or one share in a qurbaanii animal is required. The hair of the child be shaved off and its equivalent weight in silver or gold be given in charity. Za'faraan (saffron) should be applied to the head of a male infant.

3. If 'aqiiqah is not done on the seventh day, it may be done later, but the seventh day should always be considered. If the child is born

on a Friday, the aqiiqah should be done on the ensuing Thursday.

4. The custom of slaughtering the 'aqiiqah animal at the same moment the razor is put on the infant's head is a meaningless custom. In sharii'ah the 'aqiiqah animal may be slaughtered first, then the head shaved, or the head shaved first, then the 'aqiiqah slaughtered.

5. Animals that are not permissible to slaughter for qurbaanii cannot be slaughtered for 'aqiiqah. Animals that are permissible for qurbaanii are also permissible for 'aqiiqah.

6. It is also permissible to distribute the raw meat of aqiiqah, or to cook it and distribute the meat, or to invite people to eat of it.

7. The meat of 'aqiiqah can be consumed by the mother, father, paternal and maternal grandfather and grandmother.

8. A person who does not have good fortune, slaughtered only one goat for 'aqiiqah on the birth of a male infant, there is no harm and this will be permissible. If no 'aqiiqah is done at all there is no error.

9. Before slaughtering the aqiiqah animal, recite this du'aa first:

اَللّٰهُمَّ هٰذِهِ عَقِيقَةُ ابْنِي (فُلَانٍ) دَمُهَا بِدَمِهِ وَلَحْمُهَا بِلَحْمِهِ وَعَظْمُهَا
بِعَظْمِهِ وَجِلْدُهَا بِجِلْدِهِ وَشَعْرُهَا بِشَعْرِهِ ، اَللّٰهُمَّ اجْعَلْهَا فِدَاءً لِإِبْنِي مِنَ
النَّارِ ، إِنِّي وَجَّهْتُ وَجْهِيَ لِلَّذِي فَطَرَ السَّمٰوَاتِ وَالْأَرْضَ حَنِيفًا وَّمَا أَنَا
مِنَ الْمُشْرِكِينَ ، إِنَّ صَلَاتِي وَنُسُكِي وَمَحْيَايَ وَمَمَاتِي لِلّٰهِ رَبِّ الْعَالَمِينَ ،
لَا شَرِيكَ لَهُ وَبِذَالِكَ أُمِرْتُ وَأَنَا أَوَّلُ الْمُسْلِمِينَ ، اَللّٰهُمَّ مِنْكَ وَلَكَ

Al-laa-hum-ma haa-dhi-hii 'a-qii-qa-tu ib-nii (say name of the child here), da-mu-haa bi-da-mi-hii, wa-lah-mu-haa bi-lah-mi-hii wa'az-mu-haa bi 'az-mi-hii, wa-jil-du-haa bi-jil-di-hii, wa-sha'-ru-haa bi-sha'-ri-hii. Al-laa-hum-maj-al-haa fi-daa-an li-ib-nii mi-nan-naar. In-nii waj-jah-tu waj-hi-ya lil-la-dhii fa-ta-ras sa-maa-waa-ti wal-ar-da ha-nii-faw wa-maa a-na mi-nal mush-ri-kiin. In-na sa-laa-tii wa-nu-su-kii wa-mah-yaa-ya wa-ma-maa-tii lil-laa-hi rab-bil 'aa-la-miin, laa sha-ri-ka la-huu wa-bi-dhaa-li-ka u-mir-tu wa-a-na mi-nal mus-li-miin.

Al-laa-hum-ma min-ka wa-la-ka.

O Allaah I offer this animal as the 'aqiiqah of my child (say name of the child here), its blood for his blood, its flesh for his flesh, its bones for his bones, its skin for his skin, and its hair for his hair. O Allaah make this a sacrifice on behalf of my son which will save him from the fire. I turn my face to Him Who is the originator of heavens and earth, while I am upright to him and I am not of the idol worshippers, verily my salaah, my sacrifice, my life and my death is for Allaah, Rabb or the worlds, Who has no partner. This is what I am commanded and I am one of those submitting to Allaah. O Allaah this is from You to You.

Then say:

بِسْمِ اللهِ اَللهُ أَكْبَرُ

"Bis-mil-laa-hi Al-laa-hu Ak-bar"

In the name of Allaah. Allaah is the greatest.

and slaughter the animal.

KITAABUL HAJJ

Hajj

When a person possesses sufficient means, more than one's requirements, and is able to afford the means of conveyance to Makkah Mukarramah as well as the means to maintain oneself on the way and back, then hajj becomes compulsory. There are tremendous virtues in hajj.

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, said, "The reward for a righteous hajj is nothing other than jannah (paradise)."

He also said, "Hajj and 'umrah removes sin just as a furnace removes dirt from iron." Grave warnings are sounded against those on whom hajj is waajib and who do not perform it.

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, said, "Whosoever has the means of travel and maintenance to take one to the Baytullaah and does not perform hajj, then there is no surprise if the person dies as a Jew or Christian." He also said, "To neglect the performing of hajj is not the way of Islaam."

1. Hajj is only fard upon a person once in a lifetime. If hajj is performed more than once, only one is fard and the rest will be nafl. There is much reward for such deeds.

2. If hajj is performed during childhood before attaining puberty, the hajj is not valid. After attaining maturity, hajj becomes fard. Hajj performed during childhood will be nafl.

3. Hajj is not fard upon a blind person, no matter how wealthy the person is.

4. When hajj becomes fard upon a person, it is fard to perform it that same year. It is not permissible to delay hajj without a reason, thinking that one is still young. If, however after postponing it, hajj is performed a few years later, it will be considered as being duly performed, but one will be a sinner.

5. If a woman wishes to go for hajj then it is necessary for her husband or any other close mahram (one whom she cannot marry, i.e. father, uncle, brother or son) to accompany her. It is not permissible for her to go without a mahram.

6. If the mahram is a non baaligh or is irreligious, with whom

mothers and sisters cannot be considered to be safe, then she cannot accompany him.

7. If there is a suitable mahram to accompany her, then the husband has no right to stop her from going (for fard hajj) and if he does prohibit her, she may disobey him and proceed for hajj.

8. A girl who is not baalighah, but close to becoming baalighah, should not proceed for hajj without a mahram. It is not permissible for her to proceed in the company of a non mahram.

9. When a mahram is requested to accompany a woman on hajj, all expenses of the mahram should be borne by the woman.

10. If a woman is not able to acquire a mahram throughout her life and she does not perform hajj, she will not be a sinner. Before death it is waajib that she makes wasiyyah that hajj be performed on her behalf. Her heirs should take from her estate sufficient funds and send someone for hajj on her behalf. That will absolve the deceased from the obligation of hajj.

A hajj performed on behalf of another is called hajj badal.

11. When hajj has become fard, but due to negligence, the person procrastinates about performing hajj. Thereafter the person becomes blind, or becomes so ill that he is unable to perform hajj. The person must make wasiyyah for hajj badal.

12. When so much money had been left in the estate that out of one third of the estate, debts and wasiyyah could be executed, it becomes waajib upon the heirs to have hajj badal performed. If the estate is such that hajj badal cannot be performed from one third of the estate, hajj badal is not necessary.

13. A person died after making wasiyyah of hajj badal. However, the estate does not have sufficient funds from which one third could be used to have hajj badal performed. Also, the heirs do not willingly assent to adding to the funds. Hence hajj badal could not be performed. There is no sin on the helpless deceased.

14. Without wasiyyah, it is not correct to perform hajj badal with money from the estate of the deceased. If all the heirs willingly assent without any exertion, it is permissible. However, the permission of non baaligh heirs is not acceptable.

15. It is not permissible for a woman during her 'iddah (period of four months and ten days after her husband's death) to proceed for hajj.

16. If one has the means to travel to Makkah Mukarramah but is not able to proceed to Madiinah Munawwarah, hajj remains waajib. Some people are under the impression that hajj is not fard unless one also has the expenses to go to Madiinah Munawwarah. This is erroneous.

How to perform hajj

'Umrah means visiting the Ka'bah for tawaaf and performing sa'ee between Safaa and Marwah with ihraam.

Hajj means to don ihraam and perform wuquuf at 'Arafah together with tawaafuz ziyaarah at a specific time.

Qiraan means to perform hajj and 'umrah together with the same state of ihraam.

Tamattu' means to perform both hajj and 'umrah with two separate ihraams.

According to Imaam Abuu Haniifah, rahimahullaah, qiraan is the best form of hajj followed by tamattu' and then ifraad.

The shuruut (preconditions of hajj)

1. Ihraam: without ihraam no act of hajj is correct.
2. The time: all the fundamentals of hajj must take place during the days of hajj.
3. The place: The Masjidul Haraam, Safaa, Marwah and 'Arafah.

The faraa-id of hajj:

1. To put on the ihraam.
2. Wuquuf at 'Arafah.
3. To perform the tawafuz ziyaarah.

The waajibaat of hajj

1. Putting on the ihraam at the miiqaat boundaries.
2. Performing sa'ee between Safaa and Marwah.
3. Remaining at 'Arafah from zawaal till shortly after sunset.

4. Wuquuf at Muzdalifah.
5. Shaving the head (for males).
6. Stoning of the jamarah before performing dhabh.
7. Pelting of the jamaraat.
8. Performing the tawaaful widaa'.
9. Performing dhabh of one's hadii.
10. Performing dhabh of one's hadii before shaving the head.
11. Performing dhabh of hadii during the days of nahr.

The sunan (sunnahs) of hajj

1. The tawaaful quduum.

2. The imaam's khutbah (in Makkah Mukarramah on the 7th Dhul-Hijjah), on the 9th at 'Arafah after zawaal, and on the 11th at Minaa.

3. Proceeding from Makkah Mukarramah to Minaa after sunrise on the 8th Dhul-Hijjah.

4. Performing five consecutive salaahs at Minaa on the 8th.

5. Remaining at Minaa on the night preceding the 9th.

6. Proceeding from Minaa to 'Arafah after sunrise on the morning of the 9th.

7. Tarrying for a while at Muhassab on the way back from Minaa to Makkah Mukarramah.

The mustahabbaat of hajj

1. Performing qurbaanii.

2. Performing ghusl (sunnah bath) before entering Makkah Mukarramah.

3. Putting the ihraam on reaching the miiqaat. When the haajii reaches there, perform ghusl, put on a chaadar and a tehband (two unsewn sheets), perform two rak'ahs salaah, leave his head bare, and recite the talbiyah while saying the niyyah for hajj.

The talbiyah

لَبَّيْكَ أَللّٰهُمَّ لَبَّيْكَ ، لَبَّيْكَ لَا شَرِيكَ لَكَ لَبَّيْكَ ، إِنَّ الْحَمْدَ وَالنِّعْمَةَ لَكَ وَالْمُلْكَ ، لَا شَرِيكَ لَكَ

Lab-bayk, al-laa-hum-ma lab-bayk, lab-bayk laa sha-rii-ka la-ka lab-bayk, in-nal ham-da wan ni'ma-ta la-ka wal-mulk, laa sha-rii-ka lak.

Here I am O Allaah! Here I am! Ready to obey! You have no partner. For You belong the praise and bounty, and also the sovereignty. You have no partner.

1. It is best to don the ihraam at one's home. For the people from South Africa the miiqaat is Yalamlam.

2. If a person is unconscious, another may put the ihraam on the person.

3. The words of the talbiyah should be the same as quoted above. Nothing more or less should be added to it.

The times of reciting talbiyah

1. After every salaah.
2. When meeting others.
3. When descending or ascending anywhere.
4. When seeing any fellow travellers coming along.
5. When mounting or dismounting from one's conveyance.
6. Everyday in the mornings.

Ihraam

1. After having donned the ihraam one should avoid all swearing, non-sensical talks, arguments and bickering.

Do not kill animals nor hunt.

Abstain from all forms of sexual contact.

Avoid wearing normal clothing, i.e., kurtas, shirts, pants, headgear or turbans.

Do not use any fragrance.
Do not shave or cut any hair or nails.
Women should not cover their faces.

2. Walk in the Haram on foot. Walk humbly, like a poor humble soul appearing in the court of a mighty king.

3. It is preferable to enter the Masjidul Haraam through Baabus Salaam (Baabul Fath), reciting 'labbayk' in humility. Enter the masjid barefoot.

4. On seeing the Ka'bah for the first time, stand and make excessive du'aa, thereafter commence tawaaf.

5. When approaching the Hajarul Aswad lift both hands, recite takbiir and tahliil and put down both hands, then kiss the Hajarul Aswad by putting both lips onto the stone. If there is a large crowd (congestion) there is no need for women (and men) to kiss Hajarul Aswad.

6. Walking around the Ka'bah is called tawaaf. On reaching the Hajarul Aswad make niyyah and start walking with the left shoulder facing the Ka'bah. Every round (circumambulation) of the Ka'bah begins and ends at the Hajarul Aswad. At all times during tawaaf neither the chest nor the back should turn towards the Ka'bah.

7. During the first three rounds around the Ka'bah, the mu'tamir (one performing 'umrah) or haajii will perform id-tibaa and ramal.

Id-tibaa is to tie the top part of the ihraam under the right, i.e. leave the right shoulder bare. Females do not do id-tibaa.

Ramal is to walk with fast, short sprightly steps.

8. After completing the tawaaf, perform two rak'ahs anywhere behind Maqaam Ibraahiim. Then supplicate (du'aa).

9. Before going to Safaa, drink zamzam to the fill, then indulge in du'aa. Go to the Multazam and again make excessive du'aa. Thereafter make sa'ee between Safaa and Marwah.

10. Ascend Safaa, say the niyyah for sa'ee. Ascend to a point where the Ka'bah becomes visible.

11. Face the Ka'bah, reciting the takbiir and tahliil, conveying duruud upon Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam. Lift both hands and supplicate (du'aa).

12. Begin sa'ee at Safaa, ending the seven rounds of sa'ee at Marwah.

13. Run slowly (for males) between the miilayn akh-darayn (two green pillars and green fluorescent lights).

14. Ascend Marwah, face the Ka'bah and do the same as done at Safaa. Repeat the talbiyah during sa'ee.

15. After sa'ee go into the Masjidul Haraam and perform two rak'ahs.

16. During residence in Makkah Mukarramah, perform righteous deeds as much as possible, because every righteous deed is rewarded up to one hundred thousand times. Avoid all sins while in Makkah Mukarramah.

17. Recite at least one full khatam of Qur-aan in the Masjidul Haraam.

18. Put on the ihraam for hajj on the 8th day of Dhul Hijjah. Perform fajr salaah in Makkah Mukarramah and proceed to Minaa after sunrise.

19. On the morning of the 9th Dhul Hijjah all haajiis will proceed to 'Arafah after sunrise.

20. The imaam will ascend the mimbar of Masjidun Namirah at 'Arafah after the a-dhaan and stand and deliver two khutbahs. In the khutbah he will explain to the people the manner of performing wuquuf, ramii (pelting) of the jimaar, qurbaanii (sacrifice), halq (shaving the hair of the head) and tawaafuz ziyaarah.

21. After the khutbas are delivered, the mu-adh-dhin shall call out the iqaamah. Salaah of zuhr and 'asr will then be performed during zuhr time. First the two fards of zuhr, then the mu-adh-dhin will again call out the iqaamah and 'asr will be performed. There should be no delay in between the two fard salaahs and no nafl salaah performed in between. It is sunnah to combine the zuhr and 'asr fard salaahs. (Zuhr and 'asr will not be combined if performed at one's tent).

22. After performing the 'asr salaah everyone should proceed to their mowqif (stopping place - tent). It is preferable (but not necessary) that the mowqif be near Jabal Rahmah. At the mowqif continue to repeat the talbiyah.

23. The imaam should stand near Jabal Rahmah facing the qiblah,

making du'aa while standing on a camel. The people too should make du'aa for themselves, their relatives and friends (and country). One should sincerely resolve to abstain from sin in future.

24. After the sun had set, the imaam will lead the people towards Muzdalifah, where it is best to descend (camp) at Jabal Quzah and not at Wadii Muharram.

25. At the time of 'e-shaa, after calling out the a-dhaan and iqaamah, the imaam will lead both the maghrib and 'e-shaa salaahs. Between the maghrib and 'e-shaa no nafl salaah should be performed nor should there be a delay.

26. After 'e-shaa salaah try to remain awake throughout the night, engaging in salaah, tilaawah of the Qur-aan and du'aa. This night is more virtuous than Laylatul Qadr.

27. The next morning ('eiid day), the 10th of Dhul-Hijjah, the imaam will lead the haajiis towards Minaa after sunrise.

28. At Minaa the first duty will be to pelt the Jamaratul 'Aqabah (big shaytaan), then to perform qurbaanii, and then to have the hair shaved or cut (for males). It is better to shave. Women should only cut some hair. After this the haajii should go to Makkah Mukarramah for the tawaafuz ziyaarah and then return to Minaa.

29. After the tawaafuz ziyaarah everything that was forbidden during ihraam becomes permissible, even sexual contact and use of fragrance.

30. During the 11th, 12th and 13th, haajiis should remain in Minaa and pelt all three Jamaraat everyday, whereafter they may leave for Makkah Mukarramah.

31. After coming to Makkah Mukarramah (after completing the rites of hajj) perform the tawaafus sadr (also called tawaaful-widaa'). Do not perform raml in this tawaaf. After the tawaaf drink zamzam. Then go to the multazam (at the Ka'bah), kiss it (if possible), and make du'aa.

32. When finally returning home, and leaving Makkah Mukarramah, keep the face turned towards the Ka'bah. If possible walk backwards while crying and grieving in the heart with extreme sorrow for leaving the Ka'bah.

Hajj badal

1. When hajj badal is being performed on behalf of another person, the person for whom the hajj is being performed, should be one who is unable to perform hajj personally and who is wealthy.

2. The person performing hajj badal should at the time of entering into ihraam make the niyyah that hajj is being performed on behalf of the named person.

3. Such a person should be chosen to perform hajj-badal who has already performed hajj.

4. The person should be given an amount that will suffice for travel expenses to Makkah Mukarramah and to return home.

5. If it is done on behalf of a deceased person, expenses should be taken from one third of the deceased person's estate.

The hajj of a woman

1. If a woman begins menstruating during ihraam, she should perform ghusl, put on ihraam a second time and perform all the hajj rites except tawaaf.

2. If she starts to menstruate before the wuquuf of 'Arafah, she performs ghusl, puts on ihraam and performs all the hajj rites except tawaaf, which she will only perform after her menses are over and she does ghusl.

3. If she experiences hayd, nifaas (bleeding after childbirth), or becomes ill at the time of tawaafuz-ziyaarah, she delays the tawaaf until after hayd or nifaas are over.

4. If a woman begins menstruating at the occasion of the tawaaful-widaa', and it is necessary to return home, it is not necessary to perform the tawaaful-widaa'.

5. It is permissible for women to wear sewn and coloured clothing. The use of fragrance or fragrant clothing is prohibited. The wearing of socks, hand gloves, dresses, scarves and jewellery are permitted.

6. Women must cover their heads (hair) and keep their faces uncovered during ihraam.

7. Women will not run between Safaa and Marwah and not ascend Safaa and Marwah if there is congestion.

8. It is haraam for women to shave their heads. They should only cut off some hair to release themselves from ihraam.

Ih-saar (being prevented from completing hajj)

1. When one in ihraam becomes sick, or is beset by fear of an enemy, or a husband of a woman in ihraam dies en route, or the muhrims money is lost, or the means of conveyance is lost, such a person becomes a 'muhassar' (i.e. one prevented from proceeding with the hajj rites because of an external cause).

2. The manner of coming out of ihraam for a muhassar is to send a hadii (sheep or goat) to the Haram to be slaughtered there, or to send money to have a hadii purchased and slaughtered. The day and time should be stipulated, so that the person can remove the ihraam at home after the slaughter. Halq (shaving the head) or qasr (trimming the hair) is not necessary.

3. In the ensuing year the muhassar will atone by performing hajj as well as one 'umrah.

4. If a haajii in ihraam is unable to perform the wuquuf of 'Arafah by fajr on the day of 'eiid, the hajj is not valid.

5. In such a case, do tawaaf and sa'ee and remove the ihraam. Return the following year for hajj. Qurbaanii is not waajib.

6. Three types of animals may be used for hadii. The best is a camel; then an ox, bull or cow; then a sheep or goat.

7. A hadii animal should not be mounted (ride upon) nor should it be milked. If it is milked, the milk should be given in charity. If it gives birth, the lamb should either be given as charity or slaughtered with the mother.

8. When slaughtering a camel, the best is to perform 'nahr'. Cattle and sheep should be slaughtered in the conventional way.

9. Hadii (qurbaanii) of hajj must not be done with a qurbaanii selected for 'eiidul ad-haa.

10. It is permissible for the owner to eat of the hadii. The meat of hadii should be distributed among the poor just as in the case of qurbaanii.

Jinaayaat (penalties in hajj)

1. If any prohibition of ihraam and hajj is committed without a valid excuse, a jazaa (compensation) becomes waajib. If the prohibited act is due to a shar'ee excuse, kaffaarah is waajib.

2. For jazaa the stipulated qurbaanii or sadaqah is given. For kaffaarah, a choice between qurbaanii, sadaqah or saum (rozah, puasah, fast) is stipulated.

3. In compensation for an animal hunted during ihraam, an animal must be purchased and given in charity, or its value in money be given.

4. Saum may also be observed in compensating for an animal hunted during ihraam.

5. If one kills a louse or a locust, one should give sadaqah, even if it be a handful of grain.

6. One in the state of ihraam, or one not in the state of ihraam shaves the head of a muhrim (one who is in the state of ihraam). Then, the one who does the shaving will have to give sadaqah, and the muhrim whose head is shaved will have to offer a qurbaanii (sheep or goat).

7. Plucking or cutting the hair or having another person do it is considered the same as having the head shaved.

8. If a male muhrim (one in ihraam) wore sewn clothing for a day without a valid excuse, he will have to offer a qurbaanii (slaughter a sheep or goat).

9. If a male wears sewn clothing which is scented, he will have to offer two qurbaanii (sheep or goats), and if a woman wears scented clothes she will have to offer only one qurbaanii, because she is allowed to wear sewn clothing.

10. Once compensation has been given for using fragrance, remove those clothes on which fragrance was applied.

11. If fragrance is being used, or applied to clothing or body while in ihraam, or if one uses scented oil, kaffaarah becomes waajib, even if it was used as a medicine.

12. By smelling fragrant flowers etc. there is no jazaa (compensation), but the act is makruuh.

13. If after putting on the ihraam, up to the time of 'Arafah, one has

sexual intercourse, the 'umrah becomes faasid (nullified). If it is done thereafter it will not become faasid.

14. Should one experience ihtilaam (a wet dream), he should perform ghusl (there is no penalty.)

15. If a woman is kissed or touched with passion during ihraam. Qurbaanii (penalty) becomes necessary.

16. If a muhrim hunts animals inside or outside the Haram boundaries, jazaa must be given. If done out of the state of ihraam in the Haram boundary, compensation becomes necessary.

17. It is haraam to hunt land animals but sea creatures are permissible.

18. If a muhrim hunts intentionally, forgetfully or due to hunger, jazaa must be paid.

19. For hunting a beast of prey, one sheep or goat must be sacrificed as jazaa.

20. When a muhrim is being attacked by a wild animal and he kills it, no penalty is incurred.

21. When a muhrim milks a Haram animal, then its value must be given in compensation.

22. If the muhrim breaks the eggs of a hunted bird, he must compensate for it.

23. When a muhrim purchases or sells hunted animals (venison), the sale is invalid.

Ziyaarah of Madiinah Munawwarah

If possible visit Madiinah Munawwarah before or after hajj. Gain the barakah (blessings) of visiting the Raudah Mubaarak and the Masjidun Nabawii. Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, has said, "The person who visits me after my demise, receives the same barakah as the one who visited me during my lifetime." He also said, "The one who only performs hajj and does not visit me has been impolite to me." Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, said regarding the Masjidun Nabawii, "The one who performs one salaah in it, gains the reward of fifty thousand salaah."

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, said, "There

are only three such masjids that one may travel to visit it: the Masjidul Haraam (in Makkah Mukarramah); my masjid (Masjidun Nabawii in Madiinah Munawwarah) and Masjidul Aqsaa (in Baytul Muqaddas – Jerusalem)."

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, said, "If anyone can die in Madiinah Munawwarah, he should die in Madiinah Munawwarah. I will intercede on the day of qiyaamah for those who died in Madiinah Munawwarah."

KITAABUN NIKAAH

Nikaah

1. Nikaah (marriage) is a special favour of Allaah upon humans. It is such a favour through which one's worldly as well as spiritual affairs are rectified. A person is saved from sin. The heart is at ease. It helps one to avoid evil thoughts.

2. The nikaah contract is sealed by two utterings. For example, a person, in the presence of two male witnesses, says, "I give my daughter 'Qudsiyyah' in nikaah (marriage) to you", and the man replies, "I have accepted". The nikaah has been performed and the two become husband and wife.

3. A person says, "Perform my nikaah with a certain girl (daughter)." The man replies, "I marry her to you", whereupon the first person then says, "I have accepted." The nikaah has taken place.

4. If the woman (daughter) is present, and pointing towards the woman one says, "I perform your nikaah with her", and the man says, "I have accepted", the nikaah is duly solemnised. There is no need to mention her name. If the woman (daughter) is not present, it is necessary to mention her and her father's name aloud so that the witnesses can hear.

5. For the nikaah to be valid, it is a shart (compulsory prerequisite) that at least two males or one male and two females witness the nikaah. Those present must clearly hear both words of ee-jaab (proposal) and qabuul (acceptance). The male and female witnesses must be Muslims and baaligh.

6. If there are no males and only females at the nikaah ceremony, the nikaah is not valid, even if ten females are present. There must be a male with two females.

7. It is preferable that the nikaah be performed in the presence of a large gathering e.g., after jumu'ah salaah in the jaami' masjid, or at any place so that the news of the nikaah becomes well known. Nikaah should not be performed in secret. If a situation arises where many people cannot be present, then at the very least, two men or one man and two women should be present.

8. If both the man and the woman are responsible adults, they can perform their own nikaah. If in the presence of two witnesses the man says to her, "I perform my nikaah with you", and she replies, "I accept", the nikaah is performed.

9. A person did not perform his nikaah himself, but said to another, "Perform my nikaah with someone", or says "Perform my nikaah with a certain person." The person performs the nikaah in the presence of two witnesses. The nikaah is valid. If the one who made the request reneges and refuses, nothing can be done. The nikaah is valid.

Prohibited marriage partners

1. One cannot marry one's offspring, grandchildren, great grandchildren, father, maternal and paternal grandfather, great grandfather, etc.

2. It is prohibited to marry an uncle, aunt, niece, nephew, brother or sister. A brother in sharii'ah is a person born from the same mother and father, or the father is the same but the mother is different, or from the same mother but different fathers. It is permissible to marry one whose father and mother are both different.

3. One cannot marry a son-in-law, whether the daughter and her husband have lived together and consummated their marriage or not. In all situations it is haraam (strictly forbidden) for them to marry.

3. A girl's father died and the mother remarried. Before the stepfather came to live with them (consummated the marriage), the mother passed away or was divorced. It is permissible for the girl to marry this 'stepfather'. If the marriage had been consummated, the girl cannot marry her stepfather.

4. It is not permissible to marry stepchildren. For example, a man cannot in any circumstance marry the daughters (stepchildren) of his wives, whether the marriage was consummated or not. In all cases it is haraam.

5. It is also not permissible for a woman to marry her father-in-law, or the father or grandfather of the of the father-in-law.

6. It is not permissible for a girl to marry her sister's husband when they are married. After the sister's death, or at the termination of the nikaah, and after completion of the sister's 'iddah after talaaq, she

may marry the brother-in-law. The nikaah may not take place before completion of the 'iddah.

7. A man married a woman, then for as long as the woman remains in this nikaah, he cannot marry the woman's paternal or maternal aunts, nor her paternal or maternal nieces.

8. A man may not have two such women in his nikaah at the same time who have between them such a relationship that, if one of them was a man and the other a woman, it was not permissible for them to marry (e.g., a woman and her aunt). However, if the one dies or is given talaaq, then he may marry the other woman after completion of his wife's 'iddah.

9. A man may marry both a woman and her stepdaughter at the same time.

10. If a person is not a girl's real uncle, but an uncle through nikaah, she may marry him. Similarly, if one becomes a paternal or maternal uncle by some distant relationship, nikaah with such a man is permitted. Nikaah is permissible with paternal and maternal cousins.

11. The sharii'ah does not grant blood relationship to adopted sons and daughters. Nikaah with an adopted child is permissible.

12. If two women are not real sisters but are paternal or maternal cousins, a man may marry both of them. This rule applies to very distant paternal and maternal aunts. A man may marry both a girl and her very distant aunt.

13. If two girls are not blood sisters, but are paternal or maternal cousins, both girls may marry the same man.

14. Whatever relationship is haraam through family blood lineage, also becomes haraam through breastfeeding. Hence, a man may not marry a woman who breastfed him, and a breastfed girl may not marry the breastfeeding mother's husband, because he became her father. She also cannot marry the breastfeeding mother's sons, as they had become her brothers. Due to this milk relationship the uncles, aunts, nieces, and nephews, all become haraam to marry.

15. If two women are milk sisters, they cannot marry a man at the same time. The rules regarding milk relationship apply.

16. A Muslim woman cannot marry but a Muslim. Marriage to a kaafir is haraam.

17. A woman's husband divorced her or passed away. Then until the 'iddah of talaaq (divorce) or death is not completed, she cannot remarry.

18. A woman married a man. She cannot marry another man until she seeks divorce and completes the 'iddah of talaaq.

19. A man who is married to four women cannot marry a fifth woman. If one of the four wives is divorced, he cannot marry another woman until after the divorced wife completes her talaaq 'iddah.

20. A sunnii woman's nikaah to a shii'ah (raafidii) is prohibited.

21. A man committed fornication or adultery with a woman. The man cannot marry the woman's mother or her daughters.

22. A woman touched a man with lust and evil intentions, then her mother and daughters become haraam for the man to marry. Similarly, if a man touches a woman with lust, then the father and son of the man are haraam for her to marry.

23. A man got up at night to wake up his wife, and in error touched her daughter (stepdaughter), or her mother (mother-in-law) with lust, then his wife becomes infinitely haraam for him. There is no way of making his wife halaal and he should give her talaaq (divorce).

24. A boy touched his stepmother with sexual lust. This woman now becomes infinitely haraam for her husband. There is no way she can become halaal to him. If the stepmother does the same with her husband's son, the same rule applies, and she becomes haraam for her husband.

25. If an unmarried woman becomes pregnant by illegitimate sexual intercourse, a person may marry her, but is not allowed to cohabit with her until the child is born. However, if she marries the very person who made her pregnant, sexual intercourse is permitted.

The walii (guardian)

1. The person who has the authority to arrange the marriage of a girl or boy is called a walii. The primary walii of a boy or girl is the father. Then in the absence of the father, the walii is the grandfather (dada),

then the great grandfather, thereafter the brother, then the half-brother from the father's side, then the nephew, then the nephew's son, then the nephew's grandson. Thereafter, the paternal uncle (chachaa), then the stepuncle (father's half-brother), then the paternal uncle's son, then the paternal uncle's grandson. Next in line is the stepuncle's son, then the stepuncle's grandson. If none of the above are available, then the father's uncle, and then his children. If there is no father's uncle or his children or grandchildren, then the paternal grandfather's uncle, and after him his children and grandchildren. In the event of none of the above being available, the mother, then the paternal grandmother (daadii), then the maternal grandmother (naanii), then maternal grandfather (naanaa), then the full sister, then the half-sister on the father's side, then the stepsister from the father's side, then the stepsister from the mother's side, then the paternal aunt (fooi), then the maternal uncle (maamaa), then the maternal aunt (khaalah), etc.

2. A non baaligh person cannot be a walii. A kaafir cannot be a walii of a Muslim. A mentally deranged person cannot be a walii of anyone.

3. A baalighah (mature adult) woman is independent. She has the choice to get married or not. She may marry whom she wishes. No one can force her into marriage. If she has her marriage solemnised with someone on her own, the nikaah will be correct, whether her walii is aware of it or not, or whether he approves of it or not. However, if she contracted a nikaah with someone beneath her standing and the walii is not pleased, the given verdict is that the nikaah will not be correct. On the other hand if she married someone of her standing but for less than the normal mahr of the family (mahrul mithl) the nikaah will be correct, but the walii will have the right to have the marriage annulled. He may apply to a Muslim qaadii to annul it. This right of appeal to the qaadii is only for those waliis who are from the father's line, i.e. from the father up to the paternal grandfather's uncle and his sons and grandsons.

4. If a walii performed the nikaah of a baalighah girl without seeking her permission, then the validity of the nikaah depends upon her acceptance. If she agrees, the nikaah is valid, and if she is not pleased and does not give permission, the nikaah is not valid.

5. The walii comes to a baalighah virgin girl and says: "I am performing your nikaah with so and so", or says: "I have performed your nikaah with so and so." If this girl remains silent or smiles or cries (not in sorrow), this will be considered as acceptance. If the walii solemnises the nikaah, it is valid, or if the nikaah had already been performed, it is valid. It means that permission need not be given verbally. People who force a girl to utter the words of acceptance are doing wrong.

6. If at the time of seeking the girl's permission, the walii did not mention the name of the husband, nor does she know the person, and she remains silent, this will not be considered as acceptance. It is necessary to mention the name and description of the prospective groom so that she may know. If the mahr is not mentioned, or the nikaah was performed for much less than the mahrul mithl, then without her permission, the nikaah is not valid. According to the rule, permission must be sought from the girl all over again.

7. If a girl is not a virgin, and had been married before, and this is her second nikaah. When her walii seeks her permission, then her silence will not indicate her acceptance. She must verbally give her consent. If she remained silent and did not give her verbal acceptance, and her nikaah is solemnised, then the nikaah is in abeyance. If she verbally accepts, the nikaah is valid, if she does not accept, the nikaah is not valid.

8. Despite the father being available, an uncle, brother or another walii seeks the consent of a virgin girl for her marriage, then her remaining silent will not suffice as her consent. She must verbally accept the proposal. If the father had sent a walii to seek her consent, then her remaining silent will denote permission. To summarise, the walii that is paramount, i.e. the one whom the sharii'ah gives the right to seek permission, either he himself (i.e. the father), or one whom he delegates to seek permission, needs to obtain the girls permission. If the girl remains silent, then it will indicate her permission. If the grandfather has the right, and her brother seeks permission; or her brother has the right and her uncle seeks permission; then in such a situation her remaining silent will not taken as acceptance on her behalf.

9. The same rule applies to a boy. If he is baaligh, no one can force him to marry. If a walii performed his nikaah without permission, it will depend upon his acceptance. If he assents, the nikaah is valid. However, the boy remaining silent will not indicate acceptance, verbal acceptance must be given.

10. A non-baaligh boy or girl are not independent, and their nikaah is not valid without the consent of their walii. If they marry on their own or someone gets them married, the validity of the nikaah is dependent on the acceptance of the walii. If he accepts, the nikaah is valid, otherwise not. The walii has the full right of accepting or not accepting a nikaah. He may get the boy or girl married to whom he accepts as suitable, and the boy or girl do not have the right to refuse, whether the non-baaligh girl is a virgin, or had been married previously and also went to her husband's home. This rule applies to both situations.

11. If a father or grandfather performs the nikaah of a non-baaligh boy or girl, then after the boy or girl become baaligh, they cannot repudiate or reject the nikaah, whether the nikaah is solemnised with one of similar standing or lower rank, or whether the nikaah was solemnised with mahrul mithl or a lesser amount. In every circumstance, the nikaah remains valid, and after becoming baaligh nothing can be done.

12. According to the rule, a walii (e.g. father, guardian) has the right to get a non baalighah girl married. Should the walii be absent and is in a foreign land, and if the family waits for his return for consultation, the chance of the nikaah will be lost, since the proposal bringer will not wait so long. If it is felt that it will be difficult to receive such a proposal again, then in such circumstances the walii who is next in line may perform the nikaah. If the first walii was not consulted, the nikaah will be valid. However, if the main walii is not very far away, then the walii who is next in line should not accept the proposal. If the second walii accepts the proposal, then the nikaah will depend on the acceptance and approval of the first walii. If the first walii accepts then the nikaah is correct.

Kuff (equality in the marriage partners)

1. The sharii'ah has put emphasis upon having the necessary compatibility between partners to avoid marrying anyone unsuited, in order to ascertain that a girl gets married to someone of her own social standing.

2. There are many kinds of equality: they should be of similar offspring, they should be Muslims, of the same diinii inclination, about the same age and of similar vocations.

3. As far as equality (similarity) of offspring is concerned, the Shaykh, Sayyid, Ansaarii or 'A-lawii are all equal to each other. Although the Sayyid is considered to be more noble. If a Sayyid girl marries a Shaykh boy they are looked upon as equals.

4. Mughals and Pathaans are equals but they are lower in rank to the Sayyids and Shaykhs and if a Sayyid or Shaykh girl marries a Mughal or Pathaan it can be said she has married beneath her rank.

5. Lineage is from the father and not the mother. If the father is a Sayyid, the children are also Sayyids. If the father is a Shaykh the children are also Shaykhs. If a Sayyid marries a non Sayyid woman their children are Sayyids. According to the sharii'ah they have the same standing as Sayyids.

6. The Mughals and Pathaans are one race, and are not of the same status as the Sayyids and Shaykhs. If a Sayyid or Shaykh girl marries a Mughal or Pathaan, it will be said that she married a person of a lower standing.

7. As far as conversion to Islaam is concerned, this only applies to Pathaans, Mughals and other people (It does not apply to the Shaykhs and Sayyids). If a man whose father accepted Islaam, marries a girl who for more than a generation has been Muslim, and his father too was a Muslim, while his paternal grandfather was not a Muslim, he will not be equal to a girl whose grandfather was born a Muslim.

8. Equality in piety in the diin is the man's inclination towards observance of the diin's tenets. A man who is negligent of the diin, irreligious, immoral, addicted to wine etc., will not be considered equal to a woman who lives righteously and is observant of her Islaamic duties.

9. Equality in wealth means a needy, destitute man cannot be equal to a girl who is rich and well off. However, if he is not so poor that where it is the custom of giving the mahr on the first night, he is able to do so, he will be looked upon as an equal. It is not necessary that the husband should be as wealthy as the wife's family.

10. Equality in vocation or occupation is that a weaver is not equal to a tailor, and a butcher or washer man is not the equal of a tailor.

11. A mentally unsound or feeble-minded man is not equal to an educated, intelligent lady.

Mahr (dowry)

1. Whether the mahr amount is stipulated or not at the time of nikaah, the nikaah is correct. The mahr will have to be given to the bride later, even if a condition was made that mahr will not be given, mahr will still have to be given.

2. The minimum amount of mahr is 10 dirhams (3.06 grams or 0.1 troy ounce of silver or its equivalent local currency value) and there is no limit to its maximum. However, it is not appropriate to fix an exorbitant mahr. A lesser amount than the minimum stipulated mahr cannot be given. If a lesser amount was given, the husband will have to give the balance.

3. If at the time of nikaah no mahr was stipulated, or a condition was made that no mahr will be given, and thereafter one of the two passes away, or they shared privacy, mahr will have to be given, but in this case the mahrul-mithl becomes waajib. However, if before they shared privacy, talaaq is given, no mahr need to be given. In such a case it is waajib to give only a set of clothing. If not given, he has sinned.

4. Only four items of clothing are waajib on a man to give on the occasion of nikaah: a kurtah (dress), an ornii (scarf), an izaar (pants), and a large chaadar (sheet) which will cover from head to toe. Besides these, it is not waajib to present other clothing.

5. The type of clothing depends on the man's financial position. If one is a poor person, clothing made of cotton may be given. If one is of moderate means, it must be of medium quality. If one is wealthy, then the clothing must be of excellent quality silk. In any case the value of

clothing need not be more than half the value of mahrul mithl and not less than 5 dirhams [5 x 3.5g] in value.

6. If at the time of marriage no mahr was stipulated. Then after the nikaah, the husband and wife mutually fixed an amount of mahr. Mahrul mithl can not be given now, but the amount that had been agreed upon will have to be given. If before they shared privacy talaaq is given, only a set of clothing (as mentioned above) will have to be given.

7. A hundred or a thousand dirhams mahr was fixed, then the husband of his own accord increased the mahr, and said that instead of a hundred dirhams, he will give one hundred and fifty dirhams, then whatever extra amount the husband has promised becomes waajib to give. If not given, he has sinned. If talaaq is given prior to being in privacy with her, he must only give half of the original amount, and the amount he added of his own accord will not be taken into consideration. Similarly, if a woman on her own accord pardons part of the mahr amount, she will not be entitled to the full amount and whatever she pardoned will not be given.

8. If a husband forces his wife through threats to pardon and exempt him from paying mahr, he is not exempted and it is waajib to pay the mahr.

9. If instead of gold, silver or money a man gives as mahr a village, farm (ranch), or land, this will be correct. Whatever has been promised will have to be given.

10. Where there is the custom of giving mahr on the first night, the wife has the option of accepting it on the first night. If she did not ask for the mahr the first night, then whenever she asks for her mahr, it is waajib on the husband to give it to her without delay.

11. In India it is the custom of giving the mahr at the time of death or at the time of talaaq, so that when talaaq is given the mahr is demanded, or the wife demands it from his estate at his death. Similarly when she dies, her heirs demand it from the husband. While the two are together, no one demands or gives it. In view of this custom a wife cannot demand her mahr before talaaq.

12. If a husband gave an amount with the intention of mahr to his wife, that amount will be considered paid. It is not necessary to mention that the amount given is that of mahr.

13. A husband gave something to his wife, but the wife says that he had just given it to her like that and it is not mahr. The husband says, "I have given you your mahr". In this case, the husband's word will be accepted. However, if food or beverage was given, it will not be accepted as mahr.

14. A man, according his financial standing fixed a sum of ten, twenty, a hundred or a thousand dirhams (or the local currency of a country) as mahr, and brought his bride home and copulated with her, or they did not have sex but were just together in a place where nothing prevented them from having sex. It becomes waajib for the husband to give the total mahr which has been agreed upon. If this did not happen and one of them died, the full mahr becomes waajib to pay. If the husband gave talaaq, half the mahr becomes waajib.

15. If the husband is impotent, and they both spent time together in privacy, then too the full mahr becomes waajib to pay.

16. If by mistake a man has sexual relations with a strange woman thinking she is his wife, she will also have to be given mahrul mithl. This act will not be regarded as zinaa and will not be a sin, even if a child is born, it will not be illegitimate. When the man discovers it was not his wife he should immediately separate from her, and it is prohibited to cohabit with her. The woman will have to undergo 'iddah and without 'iddah she will not be allowed to copulate with her actual husband.

17. Where it is the custom to give a stipulated amount of mahr in advance, if the husband does not give the stipulated amount in advance, the wife has the choice of refusing him intercourse until she receives the stipulated mahr. If he does have intercourse, she may still refuse him a second or third time. If he wishes her to accompany him on a foreign journey she may refuse.

The mahrul mithl

1. The meaning of family mahrul mithl is to observe another woman in the girl's father's family who is similar to this girl. If the woman is young, this girl must also be young at the time of nikaah. If the woman is beautiful this girl must also be beautiful. If the woman married when

she was a virgin, this girl must also marry while she is a virgin. This girl must also possess the same wealth the woman possessed when she married. The locality that the woman comes from, this girl must also be from the same locality. If the woman is diinii observant, intelligent, good mannered, educated, this girl must be likewise. Briefly, the qualities that the woman possessed at the time of her nikaah, this girl must also possess the same qualities at the time of her nikaah. If the woman and girl possess the same qualities, then the mahr that was stipulated for the woman will be the same for the girl. The mahr that was stipulated at the nikaah of the woman will be the girl's mahrul mithl. Women of the girl's father's family are her sisters, paternal aunts, paternal cousins, etc. The mahr of the girl's mother will not be taken into consideration. If the mother hails from the same family, i.e., she is her father's cousin, her mother's mahr will also be regarded as mahrul mithl.

Status of non-Muslim marriages

1.The manner in which kaafirs (non-Muslims) marry according to their religious rites is recognised by the sharii'ah. If both husband and wife together become Muslims, it is not necessary to remarry. Their original nikaah is valid.

2. If only one of them becomes a Muslim, their marriage terminates. It is not permissible for them to live as husband and wife.

Equal treatment of co-wives

1. One who has several (more than one) wives, then it is waajib to treat them equally. Whatever is given to one wife, the other wives can claim the same. If he spends a night with one wife, he must spend a night with each of the other wives too. If he spends two or three nights with one wife, he must spend the same amount of nights with the other wives too. Whatever amount of clothing, jewellery, money and assets he gives one wife, the other wives may claim the same.

2. The rights of the newly-married wife is equal to the previously married wife. There will be no distinction between the two wives.

3. Equality in spending time with the wives is at night only. It is not necessary to spend equal time with the wives during the day. If the husband spends more time with one wife and less with the others during the day there is no harm. It is waajib to spend equal time with the wives at night. If he comes to one wife after maghrib and to another after 'e-shaa, the man has sinned. A person who is employed during the night in the security sector and spends his days at home must spend equal time with his wives during the day.

4. If a man loves one wife more than the other wife, there is no sin, as this is not in one's control.

5. When going on a journey equality is not waajib. He may take with him whichever wife he wishes. It is better if he casts lots to decide who shall accompany him, so that none of the wives are displeased.

6. It is not necessary to be equal with the wives in sexual relations. If he had sexual relations with one wife during her night, it is not incumbent to have sexual relations with the other wives during their nights.

Breastfeeding

1. When a child is born it is waajib for the mother to breastfeed the child. However, if the father is wealthy and he is able to find a foster mother, then the mother is not a sinner if she does feed her infant.

2. It is not permissible to let another breastfeed the child without the father's consent. If a child is in anguish due to hunger and there is fear the child will suffer harm, another may breastfeed the infant.

3. The maximum period a child can be breastfed is two years. It is haraam to breastfeed a child after two years.

4. If a child begins to eat solid food before the 2nd year is over, there is no harm.

5. When milk goes down the throat of a child, all those milk relationships already mentioned become haraam, whether the milk is a little or a lot.

6. If a child did not drink milk directly from the breast, but milk was suctioned from the breast of the foster mother and fed to the child, this too is regarded as breastfeeding. This leads to a milk relationship

and all those relatives, due to breastfeeding, becomes haraam for the child to marry. If milk was put in the child's nose then too all those relatives become haraam to marry. If milk was put in the child's ear no prohibition applies.

7. When the breastfeeding mother's milk is mixed with water or medicine and fed to the child, then observe if the milk is more or the water, or if the portion of the milk and water is of the same quantity. If the milk is more or the milk and water are the same quantity, the woman becomes a milk mother and the rule of those who are prohibited to marry will apply. If the water or medicine is more, there will be no prohibition. (It is not permissible to add medicine to a woman's milk).

8. If a woman's milk is mixed with cow or goat's milk and fed to the child, then if the woman's milk is more or the same quantity as the cow or goat's milk, then the child becomes a foster child, and the rule of foster relationship will apply. If the cow or goat's milk is more, there will be no prohibition.

9. If milk is suctioned from the breast of a dead woman and is fed to a child, then too milk relation is established.

10. If two children drink milk from the same cow or goat, no relationship is established and they do not become brothers or sisters.

11. A young man drank his wife's milk. She does not become haraam for him, but a great sin has been committed, because it is haraam to drink a woman's milk after the age of two years.

12. If a boy and a girl with no blood relationship drank the milk of the same woman, they cannot marry as they have become foster brother and sister, whether they breastfed at the same time or one drank first and the other after several years.

13. A girl drank the milk of Baaqir's wife, then the girl cannot marry Baaqir, nor his father, grandfather, and children, even Baaqir's offspring from another wife.

14. 'Abbaas drank Khadiijah's milk, whose husband is Qaadir. Qaadir had another wife Jamiilah who was divorced before. Now Jamiilah cannot marry 'Abbaas, because 'Abbaas is Jamiilah's husband's son, and marrying a husband's son is not permissible. Also if 'Abbaas

leaves his wife, Qaadir cannot marry the wife of 'Abbaas, as he is her father-in-law. Qaadir's sister also cannot marry 'Abbaas, as they are aunt and nephew, whether the sister is Qaadir's blood or foster sister. However, Qaadir can marry the sister of 'Abbaas.

15. 'Abbaas has a sister Saajidah, who drank the milk of a woman while 'Abbaas did not do so. This woman can marry 'Abbaas.

16. The son of 'Abbaas drank milk of Zaahidah, then 'Abbaas may marry Zaahidah.

17. Qaadir and Zaakir are brothers. Zaakir has a milk sister. Qaadir can marry Zaakir's milk sister, but Zaakir cannot.

18. It is not permissible to add a woman's milk with medicine. If it was added then it is haraam to drink it, or rub it on the body, or put drops into the eyes or ear. Basically, no (medicinal) benefit at all can be derived from a woman's milk, and it is not permissible to use it for any purpose.

Talaaq (divorce)

1. If a husband who is baaligh and mentally sound gives his wife talaaq, the talaaq is valid. The talaaq of a non baaligh, or mentally disturbed person is not valid.

2. A person uttered the words, "You are divorced." or "My wife is divorced" in his sleep, talaaq does not take effect by this muttering.

3. Someone made a husband divorce his wife by force. For example, the husband was severely beaten and threatened, saying "Divorce her or you will be killed". Under stress he divorced his wife. The divorce takes effect.

4. A person gave his wife talaaq under the influence of intoxicants. After becoming sober he regretted his act. The talaaq takes effect. Giving talaaq in anger also takes effect.

5. Apart from the husband, no one else has the right to give the wife talaaq. However, if a husband delegates another to give his wife talaaq, the talaaq takes effect.

Method of giving talaaq

1. Only the husband has the right of giving his wife talaaq. When the husband gives his wife talaaq it takes effect, whether the wife agrees or not. A wife cannot give her husband talaaq.

2. The husband does not have the right to give more than three ṯalaaqs, and if he pronounces four or five ṯalaaqs, only three are effective.

3. When a husband verbally says, "I have given my wife ṯalaaq" and utters it so loudly that he himself can hear it, ṯalaaq takes effect irrespective of whether it happened in solitude or in the presence of witnesses and whether the wife heard it or not.

4. Ṯalaaq is of three types:

a. The first one is such a ṯalaaq where the nikaaẖ is completely annulled and it is not permissible to live with the husband. If both agree to live together again, it will be necessary to solemnise a nikaaẖ again. Such a ṯalaaq is termed ṯalaaq baa-in.

b. The second type is where the nikaaẖ dissolves completely. If they desire to live together again, the wife will first have to marry another person, and if the second husband for some reason gives her ṯalaaq and after completing 'iddah (waiting period), then only can she marry the first husband. This ṯalaaq is termed mug̱hallaẕah.

c. The third type is where the nikaaẖ does not terminate completely. After pronouncing one or two ṯalaaqs, the husbands feels ashamed. They may live again as husband and wife. It is not necessary to solemnise a new nikaaẖ. If the husband does not retract after giving ṯalaaq, then after the wife completes her 'iddah, the nikaaẖ dissolves. The wife and husband will separate. Until the 'iddah term is not completed, the husband has the choice of reconciling or terminating the nikaaẖ. This ṯalaaq is termed ṯalaaq raj'ee. The nikaah dissolves if three ṯalaaqs were given.

5. There are two ways of pronouncing ṯalaaq,

a. The one is where the husband says in clear terms: "I have given you ṯalaaq" or "I have given my wife ṯalaaq." The words spoken are so explicit that besides ṯalaaq, nothing else can be understood. This ṯalaaq is termed s̱ariiẖ ṯalaaq.

b. The second method is where clear words of ṯalaaq are not uttered. Vague and allusive words are used. He says, "I

have distanced you from me." One meaning of this may be that I have given you talaaq, another meaning could be that you have not been given talaaq, but I will not allow you to live with me. "Remain forever at your parents home, I will not enquire about you", or the husband says any of the following, "I have nothing to do with you, you have separated from me; I separate you from me; leave my house; get out; move away; go and sit on your parents head; go to your house; you and I cannot live together"; Where phrases such as these are used where both talaaq and other meanings may be derived, such talaaq is termed kinaayah talaaq.

6. When talaaq is pronounced in clear terms, then talaaq takes effect immediately when the word talaaq is pronounced, whether the intention was to give a talaaq or not, or it was just uttered in jest. By clearly pronouncing the words of talaaq, the third type takes effect [talaaq raj'ee - revocable divorce]. Until the 'iddah (waiting period after divorce) is completed, there is the choice of keeping her or not keeping her. Uttering the word talaaq once results in one talaaq. If it is pronounced three times, or one says "I give you three talaaqs", then three talaaqs take effect.

7. A husband gives one talaaq. For as long as the woman is in her 'iddah, he may still give a second or a third talaaq, and if he does give talaaq, it becomes effective.

8. If a man said, "I will give you talaaq", no talaaq falls, or if he says, "If you do such a thing, I will give you talaaq." Then too no talaaq takes effect, whether she does that thing or not, but if he says, "If you do such a thing you are divorced", and if she does it, talaaq falls as soon as she does that which she had been prohibited to do.

9. A man called his wife saying "talaaqan" (divorcee), talaaq takes effect, even if it is said in jest.

10. A man says to his wife, "If you go to Sun City you are divorced", then until she does not go to Sun City the talaaq does not take effect. When she goes to Sun City, talaaq takes effect.

11. If talaaq is not pronounced in clear terms, but allusive words

are used, then talaaq is given by ishaarah kinaayah (unclear but indicative). If at the time of pronouncing these words, talaaq is intended, then talaaq takes effect, which becomes the first type, a baa-in talaaq. Now without again performing nikaah, they cannot live together. If it was said with some other intention, no talaaq takes effect. If by analogy it becomes clear that talaaq was intended, and the person is telling a lie, the woman should not stay with him and must understand that she is divorced. For example, if the wife in anger says to her husband, "Now you and I cannot live together any more."

12. A man says to his wife, "I have given you talaaq, talaaq, talaaq." Then three talaaqs take effect, or using allusive terms, he said it three times, then too talaaq takes effect.

Talaaq before the bride leaves her parents home

1. Before the bride went to the groom's home he divorced her, or her rukh-satii (bride leaving her parents home) had taken place but the groom and bride did not share privacy in terms of the sharii'ah. Therefore, before sharing privacy, she was divorced. Talaaq baa-in then takes effect, whether the talaaq was given in clear words or allusive terms. When such a talaaq is given, it will be talaaq baa-in. She does not have to undergo 'iddah (waiting period) and she may immediately marry another man. After giving the first talaaq the husband now does not have the choice of giving a second or a third talaaq. It does not take effect even if he gives it. If he says initially, "I give you two talaaqs" or "I give you three talaaqs", then the amount of talaaqs given take effect. If he says, "You are divorced", only one talaaq takes effect.

2. If the groom and bride had already shared privacy, or if they did not share privacy yet, then giving talaaq to this woman in clear words results in talaaq raj'ee. They may live together upon reconciling without performing a new nikaah. If vague words are used, then it is talaaq baa-in and she will have to undergo 'iddah. Without completing 'iddah she cannot marry another person. During her 'iddah the husband can give her a second and third talaaq.

Giving three talaaqs

1. If a man gives his wife three talaaqs, she becomes haraam for him. Even if they marry again, it is haraam for her to live with him. This second nikaah is not valid, whether the talaaq was given in clear or allusive words.

2. Three talaaqs are pronounced at the same time. For example, "You are divorced three times." Or it is said, "You are divorced, You are divorced, You are divorced", or three talaaqs are pronounced separately, one today, one tomorrow, one the day after tomorrow, or, one this month, one the following month and one the month after, i.e., three talaaqs are given during her 'iddah. The same rule applies to all the above situations.

3. A person gave his wife one talaaq raj'ee, then the husband decided to keep her. After a few years he became angry on some matter, and he gave her another talaaq raj'ee, whereupon he has the choice of reconciling with her. When his anger subsided he kept her and did not let her go. Now two talaaqs has been given. Now if another talaaq is given, it will be three talaaqs. The rule that now applies is that she can only remarry him if she first marries another person. If a husband gives talaaq baa-in, he does not have the option of keeping her, the nikaah terminates. The husband then regrets his deed, and both husband and wife agreed and had their nikaah solemnised again. After some time the husband again became angry and gave his wife a talaaq baa-in. After his anger subsided he again had a new nikaah solemnised. Now two talaaqs has been given. If a talaaq is given a third time, he cannot marry her again unless she first marries another person.

4. After a wife is given three talaaqs, and she wishes to stay and marry the same man, there is only one way to remarry. After the 'iddah of talaaq is over, she must marry another man and have intimate relations with him. Thereafter, if the second husband passes away or gives her talaaq, and after undergoing 'iddah, she may marry the first husband. Without marrying a second man she cannot remarry the first husband. If after marrying a second husband, and before the nikaah is consummated the second husband dies or gives her talaaq, this nikaah will be of no value. She can only marry the first husband if

the second husband copulated with her. If not, she cannot marry the first husband.

5. If the second nikaah was solemnised on condition that after sexual intimacy he will release her, this condition has no credence. The second husband has the choice of keeping her or leaving her. Therefore, to make such a condition for nikaah is haraam and a great sin. Only after this second nikaah, and after the husband had intercourse or died, the first husband becomes halaal for her.

Talaaq on condition

1. Before marrying, a man says to a woman, "If I marry you, you are divorced." When he marries her, talaaq baa-in immediately takes effect. He cannot keep her unless she marries another man. If he said to her before marrying, "If I marry you then two talaaq baa-in takes effect." If he said three talaaq, then three talaaqs take effect, which now becomes talaaq mughallazah.

2. If a condition of talaaq was made prior to the nikaah ceremony, talaaq takes effect immediately after the nikaah is solemnised. He then remarried the woman. Now after the second nikaah, another talaaq does not take effect. However, if he had said, "Every time I marry you, talaaq takes effect" then whenever he marries this woman, talaaq immediately takes effect. There is now no way he can live with this woman, even if she marries another man and thereafter marries the first man, then too talaaq takes effect.

3. If a man says, "Any woman that I marry is divorced," then whichever woman he marries, talaaq automatically takes effect.

4. If one says to his wife, if you do a certain act you are divorced; if you go away from me you are divorced; if you go to a certain house you are divorced; or if a certain thing happens you are divorced, this is a talaaq raj'ee. They can therefore remain together without solemnising nikaah again provided the husband retracts during her 'iddah. Then if she does that thing again she is divorced. If it is not done, she is not divorced. If allusive words are used, like saying, "If you do a certain act, then you and I will have no connection." If she does that act, talaaq

baa-in takes effect, on condition that at the time of saying those words talaaq was intended.

5. If it is said to the wife, "If you do a certain act, two or three talaaqs are given to you". The number of talaaqs that had been stipulated takes effect.

6. A woman intended going out of the house. The husband says, "Don't go now." The wife did not obey, upon which he said, "If you go out you are divorced." The ruling is, if she leaves immediately she is divorced. If she goes out after a little while, then talaaq does not take effect, because his intention was that she do not go immediately but later. It does not mean she cannot go out for the rest of her life.

Talaaq by a sick person

1. During illness a man gave his wife talaaq. Before the 'iddah (waiting period) was completed, the husband died in that illness. She is entitled to inheritance, irrespective of the amount of talaaqs given, whether the talaaq was raj'ee or baa-in. If the husband dies after she completed her 'iddah, she is not entitled to any inheritance. If the husband did not die during this illness but recuperated, and later died due to a subsequent illness, then too she will not inherit, whether her 'iddah was completed or not.

2. A woman demanded talaaq, upon which the husband divorced her. If the husband dies during the 'iddah or after, she will not inherit.

3. A man says to his wife during his illness, "If you go out of the house you are given talaaq baa-in". The wife went out of the house. Talaaq baa-in takes effect. In such a case she will not inherit, because she did an act that resulted in talaaq. If the husband said, "If you eat food, talaaq baa-in takes effect", or said, "If you perform salaah, talaaq baa-in takes effect." In such a situation, if the husband dies during her 'iddah, the wife will inherit, because the talaaq was not an option for the wife since eating and performing salaah is a necessity.

4. A perfectly healthy man says to his wife, "If you leave this house you are given talaaq baa-in". Later when she went out of the house he became ill and talaaq took effect. If he dies within the 'iddah she will not receive inheritance.

5. A man during healthy times says to his wife, "When your father returns from his foreign journey you are divorced." When the father returned, the husband took ill and died during that illness. Talaaq took effect. She will not inherit. If this statement was made during the husband's illness, and he died during her 'iddah, she will inherit.

Raj'ah (taking the wife back) after talaaq raj'ee

1. When a man has given his wife one or two raj'ee talaaqs, then before the 'iddah (waiting period) is completed, he has the choice of taking the wife back. It is not necessary to solemnise another nikaah, irrespective of whether the wife wants to return to him or not. She has no choice in the matter. If three talaaqs were given, the wife cannot be taken back. The governing rule has been mentioned already.

2. The manner of raj'ah is that the husband either says clearly, "I take you back as my wife, I will not let you leave", or he says, "I return you to my nikaah." Or he may say to someone other than the woman, "I take my wife back and have abandoned the talaaq." By merely saying this, the nikaah is reinstated.

3. When one intends making raj'ah, it is advisable to have two or more witnesses present, because in the event of an argument, no contradiction or allegations can be made. If no witnesses were present, and a private raj'ah was made, it will be correct.

4; If the 'iddah has been completed, raj'ah is not possible. If the woman accepts and agrees, then a new nikaah will have to be solemnised. He cannot live with her without nikaah. Even if he keeps her, the woman is not allowed to live with him.

5. A woman that has been given one or two talaaq raj'ee, and the husband still has a choice of revoking the talaaq, it is preferable for such a woman to beautify and adorn herself at all times with beautiful clothing, perhaps her husband will be drawn towards her and make raj'ah of the talaaq. If the husband has no intention of raj'ah, it is preferable that when he enters the home, she should do something to turn away his attention, and if her body is bare she should cover it, and his sight should not fall on her private parts. After she completes her 'iddah she should go to live in another place.

6. Before raj'ah, it is not permissible for the man to take the

woman with him on a journey, and it is not correct for the woman to accompany him.

7. If the woman that has been given one, or two talaaq baa-in, where the husband does not have the choice of raj'ah wishes to marry another man, she may do so after completing her 'iddah (waiting period). It is not permissible for her to marry during her 'iddah. If she wishes to remarry her husband, she may do so within her 'iddah.

8. Another manner of making raj'ah is where nothing is said verbally, but he has sexual intercourse with her, or kisses, fondles, or touches her with passion. In all these situations, she becomes his wife again. It is not necessary to solemnise their nikaah again.

9. The 'iddah of talaaq of a menstruating woman is three hayd periods. After completing three hayd periods, her 'iddah ends, i.e., if after completing ten days, bleeding stops the 'iddah ends. The choice the husband had of taking her back also ends, irrespective of whether she had bathed already or not. If the third hayd period ended before ten days and she stopped bleeding, but did not bath yet, nor was any current salaah waajib on her, the choice of the husband making raj'ah remains. He may still change his intention so that she may become his wife again. However, if she had bathed after her bleeding stopped, or did not bath but a current salaah time passed, i.e. one qadaa salaah becomes waajib on her, his choice of taking her back expires. He can only take her back after solemnising a new nikaah.

10. When the husband did not copulate with his wife yet, although they shared privacy, then by pronouncing one talaaq, the husband has the choice of raj'ah because the talaaq pronounced is a talaaq baa-in. A new nikaah will have to be solemnised.

11. If a husband and wife shared privacy, but the husband claims he did not copulate with her and after making this claim, he gave her talaaq. He then does not have the choice of revoking the talaaq.

Swearing an oath not to copulate with the wife

1. One takes an oath saying, "By Allaah, I will not copulate", or, "I swear by Allaah I will never copulate with you" or says, "I swear by

Allaah I will not copulate with you", or said it in some other manner. The rule regarding this is, if he does not copulate with his wife, then after the passing of four months, talaaq baa-in takes effect. If another nikaah is not solemnised, they cannot live as husband and wife. If the husband broke his oath and copulated with his wife, talaaq does not take effect. The husband will have to give kaffaarah for breaking his oath. Swearing such an oath is called ee-laa in the sharii'ah.

2. A husband did not swear an oath to avoid sexual contact with his wife forever, but swore an oath saying, "By Allaah, I will not copulate with you for four months." This becomes ee-laa. The same rule applies, i.e., if he does not copulate with his wife for four months, talaaq baa-in takes effect. If they copulated before the four months elapsed, kaffaarah for breaking the oath will have to be given.

3. If an oath was sworn for a period of less than four months, it will not be considered. This will not be ee-laa. However, if he does copulate before the time period he had taken oath for, kaffaarah will have to be given. If he did not copulate, talaaq will not take effect, and the oath will be fulfilled.

4. A man swore an oath for the time period of only four months, and did not break his oath, therefore, after four months talaaq took effect. After talaaq she married the same man again. If they did not copulate for four months, there is no harm. No talaaq takes effect.

5. A woman was given talaaq baa-in, thereafter her husband swore an oath not to copulate with her. This will not be ee-laa. After solemnising a new nikaah he does not copulate with her again, talaaq does not take effect, but if he does copulate with her, he must give kaffaarah for breaking an oath. If after giving her a talaaq raj'ee, and during her 'iddah he swore an oath, it will be ee-laa. If he makes raj'ah, and does not copulate, then after four months talaaq will take effect. If he copulated then kaffaarah of breaking an oath becomes waajib.

6. The husband did not swear by Allaah, but merely says, "If I have sex with you, you are divorced", then too it is ee-laa. If he copulated, talaaq raj'ee takes effect, and in such a situation kaffaarah will have to be given. If he did not copulate with her then after four months talaaq baa-in takes effect.

Comparing your wife to your mother

1. Someone said to his wife, "You are the same to me like my mother" or said, "For me you are like my mother" or, "According to my estimation you are the same as my mother" or, "Now you are equal to me like my mother." Observe what is meant by this. If it is meant as an honour or piety in status, or she's very old like my mother, or in age she resembles my mother, then such sayings is of no consequence.

If at the time of these sayings he had no intention and just said it, then too it is of no consequence. If the intention is talaaq and to leave her, then talaaq baa-in takes effect. If the intention was not talaaq nor to leave her, but the following: "Although you are my wife and I am not separating from you, from now on I am never going to copulate with you. I regard intercourse with you as haraam. Just take your food and clothing and remain idle." In sharii'ah this is called zihaar. The rule is that she will remain his wife, but until the husband does not give kaffaarah, it is haraam to copulate, touch her with passion or lust, or fondle or kiss her, etc., even if many years pass in this manner. After kaffaarah has been given, they are permitted to live as normal husband and wife. It is not necessary to solemnise a new nikaah. The kaffaarah is the same as that of saum (rozah, puasah, fast).

2. If he copulated with his wife before giving kaffaarah, it is a very grave sin. He should repent and make istighfaar (seek forgiveness), and make a firm resolution of not copulating before giving kaffaarah. The wife should not allow her husband to touch her before he had given kaffaarah.

3. If he compared his wife with his daughter, sister, aunt, or such a woman who is forever haraam to him, the same rule applies.

4. A man says to his wife, "In my eyes you are like to a pig." If his niyyah is talaaq, talaaq takes effect. If the intention is zihaar, (talaaq is not intended, but has made copulation with her haraam upon himself), no rule applies, even if no intention was made. (It is a very despicable thing to say to a wife).

5. If after zihaar he avoids sexual contact with her for four months or more, no talaaq takes effect, nor does ee-laa take place.

6. Until kaffaarah is not given, it is not haraam to see and talk to one another, but they may not look at one another's private parts.

7. Zihaar was not made forever, but for a year or four months etc., then whatever period is stipulated, zihaar remains for that period. If he wants to copulate with his wife during the stipulated period, kaffaarah will first have to be given. If he copulates with his wife after the stipulated period, there is no kaffaarah. His wife is halaal for him.

8. The words of zihaar are repeated two or three times, saying, "You are like my mother to me." The amount of times zihaar is repeated equals the amount of kaffaarah that will have to be given. If the intention of repeating words is to emphasise the first zihaar, then only one kaffaarah has to be given.

9. If the words of zihaar were uttered to his various wives, then as many times as he utters zihaar, so many kaffaarahs become waajib.

10. If the husband does not use the words, like my mother or equal to my mother, but says "You are my mother" or "You are my sister" then the wife does not become haraam, but it is a sin to utter such words.

11. If the husband says, "You are haraam to me just like my mother" and the niyyah was to give talaaq, then it takes effect. If the intention was zihaar or no niyyah was made, then it is taken as zihaar. After giving kaffaarah it will be correct to copulate.

Giving of kaffaarah

1. There is no difference between the kaffaarah of zihaar and saum (rozah, puasah, fast).

2. If one has the strength, sixty consecutive saum must be observed. No saum must be missed in between. Until the siyaam (pl. of saum - fasts) are not completed, copulating with the wife must be avoided. If he copulated before completing the sixty siyaam, the siyaam must be started all over again. The same rule applies whether the copulation took place during the day or night, or done purposely or forgetfully.

3. If the kaffaarah of siyaam was commenced on the 1st of day of a month, then for two complete months siyaam must be observed, irrespective if the two months consists of thirty days each whereby

sixty days are completed, or the months consist of less than thirty days. In both cases the kaffaaraah is completed. If the siyaam was not commenced on the first day of the month then the full sixty days will have to be observed.

4. If one does not have the strength to keep the siyaam, sixty poor people must be fed twice a day, or uncooked grain must be given to them. If before completing the feeding of all the poor people the husband copulates with his wife, it is a sin, but the kaffaarah will not have to be repeated.

5. Someone had to give two kaffaarahs of zihaar. He gave each of the sixty poor people four kilos of wheat, and understood that for every kaffaarah two kilos wheat is being disbursed, hence, both kaffaarahs are discharged. Only one kaffaarah has been discharged. A second kaffaarah will have to be disbursed. If one kaffaarah was for breaking a saum and the other for zihaar then both kaffaarahs are discharged.

Li'aan (charging the wife with adultery)

1. When one accuses his wife of zinaa (adultery), or if a child is born, and the husband denies paternity of the child, the rule is that the woman should go to the qaadii or shar'ee official and file a lawsuit. The qaadii will ask both of them to swear an oath. First the husband will say, "I make Allaah a witness and say, I am truthful in charging my wife with adultery." The husband will repeat this four times. The fifth time the husband will say, "If I am lying, may Allaah's curse be upon me." After the husband the wife will say four times, "I make Allaah a witness and say, he is lying about what he has charged me with." The fifth time she will say, "If he is true about the charge he has made against me, than may the wrath of Allaah be upon me." After the husband and wife have taken their oaths before the qaadii, they will be separated, and one talaaq baa-in takes effect. This child will not be assigned to the father, but to the mother. This oath taking by the husband and wife is termed li'aan.

Khu-la' (termination of marriage by settlement)

1. If the husband and wife cannot live together amicably, and the husband is not prepared to give talaaq (divorce), then it is permissible for the wife to offer him a remuneration or return her mahr for obtaining her freedom. She may say to her husband, please release me in exchange for my mahr that is owed to me. In reply the husband says, "I release you." One talaaq baa-in takes effect. The husband does not have the choice of keeping her or revoking the talaaq. However, if the husband did not answer and stood up and left, or the wife stood up and left, and thereafter the husband said "I release you". This is of no consequence. The offer and acceptance must be in the same sitting and place. In sharii'ah this is termed as khu-la'.

2. A husband says to his wife, "I have made khu-la' with you", and the wife replies, "I accept." This will be khu-la'. If the wife does not reply at this sitting, and stood up or left, or she did not accept. This is of no consequence. If the wife remained seated, and the husband after uttering stood up and left, and thereafter she accepted, khu-la' takes effect.

3. A husband only says, "I make khu-la' with you." The wife accepted. Money was not mentioned. Nor did the wife say anything.

Whatever the husband and wife owe one another are all pardoned. If the wife's mahr is outstanding on the husband, this too is pardoned. If she had already received her mahr, it is not waajib to return it. The husband will have to provide food, clothing and shelter till the end of her 'iddah. If the wife says "I do not need any maintenance during my 'iddah" then this too is pardoned.

4. If money is also mentioned, e.g., "In exchange for 1000 dinaars I make khu-la' with you", and the wife accepted, khu-la' takes effect. It is waajib for the wife to pay 1000 dinaars. If she had been paid her mahr or it is still outstanding, she still has to pay the agreed amount, and will not receive her mahr if it is outstanding, since it has been pardoned because of khu-la'.

5. If khu-la' is due to the fault of the husband, it is a major sin and haraam for him to grant khu-la' in exchange for money or mahr that

is that still outstanding. If the wife is at fault, then he must not accept compensation in excess of the mahr he had given. It is improper but not a sin to take more then the mahr paid.

6. A wife is not willing to make khu-la' but her husband forces her to accept it through threats and beatings. Then talaaq takes effect. It is not waajib on the wife to pay any compensation. If mahr is still outstanding on the husband, it will have to be paid and is not absolved.

7. A husband says, "In exchange for a 1000 dinaars (or an amount in local currency) I have given you talaaq." The talaaq is pending on the acceptance of the wife. If she does not accept, talaaq does not take effect. If she accepts, one talaaq baa-in takes effect. If she accepts after the place of the conversation changes, talaaq does not take effect.

8. A wife says to her husband, "In exchange for 3000 dinaars give me three talaaqs." The husband then gave one talaaq. The husband will only receive 1000 dinaars. If two talaaqs are given then only 2000 dinaars, and if three talaaqs are given the wife will have to pay the full 3000 dinaars. In all these circumstances talaaq baa-in takes effect, because it is in exchange for money.

9. Khu-la' cannot be made by a non baaligh boy or an insane person.

Missing husband

1. A woman whose husband has disappeared, and it is not known if he is alive or dead cannot contract another nikaah, but should wait for him to return. After waiting till so much time passes that the husband's age will have reached ninety years, a verdict will now be given that the husband must have died. If the wife is still young and wishes to marry, she should first observe the 'iddah. However, the verdict of the presumption of death must be given by a shar'ee haakim.

Note. After deliberation the 'ulamaa have revised this issue. After the disappearance of a husband, the wife must approach the qaadii or shar'ee council. The qaadii or council after deliberation will pass judgement. She will then observe 'iddah, and thereafter marry.

'Iddah (period of waiting)

1. When a husband gives talaaq, or by khu-la', ee-laa or other means the nikaah terminates, or the husband passes away, then in all these circumstances the woman will have to remain in the home for a specified waiting period. Until this period is not completed she cannot go out anywhere, nor marry another man. After the period is completed, she may do as she wishes. This period of waiting is called 'iddah.

2. If the husband gave talaaq, then until she completes three intervals between the periods of hayd (menstruation), she must remain in the husband's home. She must not leave the home during the day or night, nor marry another man. After completing three hayds, the 'iddah ends. She may now go anywhere. The same rule applies whether the husband gave one, two, three, a baa-in or raj'ee talaaq.

3. For a young girl who has not experienced hayd yet, or an old woman in her menopause, 'iddah is three months.

4. A young girl was divorced. She began her 'iddah according to monthly calculations. During 'iddah, after one or two months she began experiencing hayd. She must now complete the period of three hayd. Until the completion of three hayd, her 'iddah is not over.

5. A woman is given talaaq during pregnancy. Her 'iddah is until the birth of the child. If the child is born after talaaq, her 'iddah ends.

6. If one gave his wife talaaq during her hayd, that period of hayd will not be calculated. The current hayd will be left aside and another three hayd intervals must be completed.

7. 'Iddah is only for a woman who has copulated after nikaah, or shared privacy with her husband (without copulation), then given talaaq.

8. During 'iddah it is waajib for the husband to provide his wife with food, clothing, residence etc.

9. A man gave his wife talaaq baa-in, or three talaaqs, then during her 'iddah, by deception he copulated with her. Due to this deception another extra 'iddah of three hayd becomes waajib. When the extra three hayd periods are completed, she will come out of both 'iddahs.

10. A man gives his wife talaaq baa-in. If both husband and wife live in the same house, she must observe complete purdah (conceal herself) in his presence.

'Iddah after a husband's death

1. After the death of a husband the wife will undergo 'iddah (waiting period) of four months and ten days. She will remain in the same house she lived in when he died. If however, she is poor and does not have an income to lead a normal life, and has been employed to cook etc., she may go out of her home. She must spend the nights at her home, whether she had copulated with her husband (during his lifetime) or not, or whether she experiences hayd or not. However, if she is pregnant, the 'iddah lasts till the birth of the child, even if a child is born a short while after the death of her husband. Thereafter she may live where she pleases.

2. If a husband died on the first day of the lunar month and she is not pregnant, she must calculate the 'iddah of four months and ten days. If the husband did not pass away at the beginning of a lunar month, then for every month thirty days must be calculated to complete four months and ten days. This rule applies to the 'iddah of talaaq also. If the woman does not experience menstruation nor is she pregnant, and she was given talaaq on the first day of the month, then she must calculate her 'iddah according to the lunar month.

3. A man during illness gave his pregnant wife talaaq baa-in, and before her 'iddah was complete the husband died. Then calculate which of the 'iddah is more, that of talaaq or that of death. She should complete that amount of days of the 'iddah that is more. If during illness the husband gave talaaq raj'ee, and she had not completed the 'iddah of talaaq, the husband dies, then the 'iddah of a husband's death will have to be completed.

4. A husband passed away and the wife was unaware of his death. After four months and ten days she received the news, then her 'iddah is complete. The same rule applies to 'iddah of talaaq also.

5. A woman went to do an errand, or went to the neighbours, holiday, etc., and in the meantime her husband passed away. She must immediately return home and remain in the home she is residing in to complete her 'iddah.

6. In some places the custom is to remain in 'iddah for a whole year after the husband's death. This is haraam.

Period of mourning

1. For as long as a woman is in 'iddah she must not leave her home, nor remarry, nor adorn and beautify herself, which is haraam to do. This is a period of mourning wherein she should wear simple, plain clothing.

2. Until the 'iddah is completed, it is haraam for her to apply fragrance, scent her clothing, wear jewellery, wear flowers (on the head or clothing etc.) apply surmah (kuhl, antimony), make the mouth red by eating paan (betel leaf), rub tooth powder to colour the teeth, oil the hair, comb the hair, apply mendhii (henna), wear elegant clothing, and wear silk, dyed or colourful clothing.

3. If, due to headache if it is necessary to apply oil to the head, such an oil should be used which does not contain any fragrance. Similarly, when necessary for medicinal purposes, surmah (kuhl, antimony) may be applied to the eyes, but it should be applied at night and cleaned in the morning. It is permissible to massage the head (with oil) and do ghusl. When necessary the hair could be combed. For example, after massaging the head or removing lice. She should not let her hair hang over her face or forehead in a stylish manner, nor use a very fine comb which causes the hair to become glossy. She should use a large toothcomb to avoid beautifying herself.

4. Mourning is prescribed for every widow who is baalighah. It is not waajib for a non-baalighah. All the above restrictions will not apply to a non-baalighah girl. However, it will not be permissible for her to leave the home or to marry before her 'iddah expires.

5. It is not correct for a woman to mourn the death of anyone other than her husband. However, if her husband does not prohibit, she may mourn the death of a relative for three days. Mourning more than three days is haraam.

Nafaqah

1. The nafaqah (maintenance) of the wife is waajib on the husband no matter how rich the wife is. The husband is also responsible to avail a place of residence for his wife.

2. Whatever period she stays at her parents home with her husband's consent, she is entitled to claim nafaqah from her husband.

3. When a woman is ill, she is entitled to nafaqah for the period of illness irrespective of whether she recuperates at her husband's home, or the home of her parents. If during her illness the husband calls her back home and she does not return, then he will only give expenses for her food and clothing. The husband will not be responsible for medical expenses. If the husband gives medical expenses, it will be a favour.

4. If a woman went for hajj, the husband is not responsible to give nafaqah for that period. If the husband accompanies her, she will receive her travel expenses too. She is only entitled to the same amount of nafaqah she receives at home. She will pay for any excess personal expenditure. The husband will pay for her transport.

5. Both the husband and wife's financial state will be considered regarding nafaqah. If both are wealthy, nafaqah will be according to that of wealthy people. If both are poor, nafaqah will be according to that of the poor. If the husband is poor and the wife wealthy, or the wife is poor and the husband wealthy, then such nafaqah must be given that is of a lower standard than that of the wealthy, and a higher standard than that of the poor.

6. If a woman is so ill that she is unable to fulfil her household duties, or if the house is so large that she cannot cope on her own, or she is from a background which considers menial work beneath her status, she should be given prepared food. If not, it is waajib for her to do all household chores herself. The husband's responsibility is to provide all the required household amenities.

Providing a residence

7. It is waajib for the husband to avail a place of residence for his wife in which none of his relatives live. The house should be completely empty of other tenants, so that the husband and wife can live in privacy. However, if the wife is agreeable, then it is permissible for other immediate relatives to live with them.

8. It is necessary for the husband to reserve a special place in the house where she can safely keep her belongings and reside therein. She will keep the lock and keys. None will interfere, and only the wife will have right of access.

9. In the manner that a wife has the choice of requesting a dwelling of her own where none of her husband's relatives may live, in the same manner the husband has the choice of not allowing the wife's relatives to visit, be it her mother, father, or brother.

10. A wife is allowed to visit her parents once a week only. Besides her parents she may visit her relatives once a year. She does not have an option of more than this. Her parents may visit her once a week.

11. If the wife's father is very ill, and there is no one to look after him, then according to need she may go to him daily. If the father is a kaafir (non Muslim) then too the same rule applies. Even if the husband should prohibit her she should go, but then the husband will not be responsible for her nafaqah.

12. A woman who has been given talaaq is entitled to full nafaqah during her 'iddah, i.e., food, clothing and residence. But a woman whose husband had died is not entitled to nafaqah. She is, however entitled to her share of inheritance in all assets.

Establishing nasab (lineage)

1. When a married woman gives birth to a child, the child will be the husband's child. To have doubt that it is not the husband's child, but that of someone else, is not correct. It is not correct to label the child illegitimate. If this was said in an Islaamic state, such a person would be flogged for slander.

2. The shortest period of pregnancy is six months and the longest is two years. No child is born in less than six months and no child can be born after two years.

3. The basic rule of the sharii'ah is that as far as possible a child will not be regarded as illegitimate. In extreme circumstances the child may be called illegitimate, and the woman would have committed a sin.

4. A woman's husband passed away, and a child is born within two years thereafter, the child will not be considered illegitimate, but the husband's child.

5. If a child is born less than six months after the marriage, the child is illegitimate. If it is born after six months or more, the child will be the husband's. It is a sin to doubt the legitimacy of the child. If the husband denies fathering the child, the rule of li'aan will apply.

6. If a couple got married, but before she could go to the home of her husband, a child is born, the child will belong to the husband. It is incorrect to call the child illegitimate. The husband will deny if it is not his child. On refuting fathering the child, the rule of li'aan shall apply.

Custody of the children

1. When the husband and wife separated after talaaq and they have an infant, the mother has the right of custody of the child. The father cannot take the child away from the mother. The father will have to give the yearly nafaqah (maintenance) of the child. If the mother herself cannot care for the child but hands the child over to the father, the father will have to accept the child and cannot force her to take the child.

2. In the absence of a mother, or if the mother refuses to accept custody of the child, the right of custody passes over to the maternal grandmother and grandfather. Thereafter the paternal grandmother. In their absence, the blood sisters will care for their brother/sister, thereafter the stepsisters from the same mother, then stepsisters from the same father but different mothers, then maternal aunts, then paternal aunts.

3. If among the child's relatives there are no women to bring up the child, then the father is more rightful of the child, thereafter the paternal grandfather, then the same sequence of waliis (guardians) that were stated at the time of nikaah.

4. The right of custody remains till the a boy reaches the age of seven years. The custody of a girl is till the age of nine years. When the child reaches the age of seven, the father may take the child by force, and none will prevent him.

The swearing of oaths

1. A person swore an oath that I will never enter your house. Then the person came to the threshold of the door of that house, or stood at the portico of that door, but did not enter, the oath is not broken. If the person enters, the oath is broken.

2. A person swears an oath that I will never enter this house. After

the house became dilapidated or ruined, the person entered. The oath is broken. If the house is completely levelled to the ground and no trace of the house remains, or it becomes agricultural land, or a masjid or garden is made on it, then the person sets foot on it, the oath is not broken.

3. A person swears not to enter a house. Subsequently the house is demolished and a new house is built on it, thereafter the new house was entered, the oath is broken.

4. A man swore an oath not to live in a house. Then immediately began preparing to remove all possessions from that house, the oath is not broken. If immediate preparations are not made to leave that house, the oath is broken.

5. An oath is taken that I will not drink this milk, then dahii (curd, yogurt) was made of that milk, then by consuming that dahii, the oath does not break.

6. A person swears an oath not to eat meat. Then eats fish, liver, or tripe, the oath is not broken.

7. One swears an oath that I will not eat bread, then when in countries where bread is made of various grains (barley, rye, etc.), it must not be eaten, otherwise the oath will be broken.

8. A girl swore an oath that she will never speak to a certain girl. After the other girl becomes an adult or old, she spoke to her. The oath has been broken.

9. A woman swore an oath, "I will never look into your face", or "I will never look at you". It actually means I will never associate with you. If incidentally that person is seen from a distance, the oath is not broken.

10. A person swears an oath, I will not sit on this chaarpaai (bed) or takht (seat, chair). A sheet or carpet etc. is spread over that chaarpaai or takht and he sat on it, the oath is broken.

Note: For breaking an oath kaffaarah will have to be given.

Apostasy (renegading from Islaam)

1. (Allaah forbid) if a woman turns away from her diin and ee-maan (Islaam), she will be given three days grace, and all her doubts will

be answered. If during that period she becomes a Muslim again, very well. If not, she will be imprisoned for life. After repenting she will be released. If a man turns apostate, then after three days he will be killed.

2. When a person utters a word of kufr (blasphemy), the person loses ee-maan, and all past righteous deeds and devotions become worthless. The person's nikaah (marriage) breaks. If fard hajj had been performed, it also becomes worthless. If the person repents and again becomes a Muslim, nikaah will have to be solemnised again and another hajj will have to be performed.

3. Similarly if a husband becomes a kaafir, the nikaah breaks and until such time that he does not repent and return to Islaam, the wife should have nothing to do with him.

4. Ee-maan leaves a person when a word of kufr is uttered. If a word of kufr is uttered in jest and it is not in the heart, then too the same rule applies. For example, one says that Allaah does not possess so much power to do a certain thing. One present answers, 'Yes, He does not'. The second person immediately becomes a kaafir.

5. One says to another, 'Get up and perform salaah', the other says, 'Who wants to sit stand, sit stand', or it is said, 'Observe saum (fast)', the other answers, 'Who must die of hunger, saum is kept by one who does not have food at home?' All such utterances lead to kufr.

6. A person sees another committing a sin and says, "Don't you fear Allaah?" The other person answers "No I do not fear." The person becomes a kaafir.

7. A person began performing salaah. Suddenly the person gets caught in some calamity, and says, "All this is the result of the ill fortune brought about by salaah." The person is a kaafir.

8. A person's child dies, the person says, "O Allaah why has this injustice been done to me, why have I been harmed." By uttering such words the person became a kaafir.

9. Someone said, "Even if Allaah Himself says to me, do not do this", or says, "Even if (the angel) Jibra-eel descends, I will not do what he commands." The person becomes a kaafir.

Slaughtering animals

1. The Islaamic method of slaughtering is to lay the animal facing the qiblah, take a sharp knife, say "Bismillaahi Allaahu Akbar" and slit the throat severing four arteries, (the gullet (wind pipe), the food pipe, and the two blood vessels.) If three of the four arteries are cut, it will be correct, and it is halaal to eat its meat. If only two arteries are cut, the animal is not halaal to consume.

2. If at the time of slaughtering one deliberately omits the uttering of "Bismillaah," the animal is haraam to consume. If one forgot then it is permissible to consume the meat.

3. It is makruuh and prohibited to use a blunt knife for slaughtering. Similarly, to skin the animal before it becomes cold, break its legs, or to cut it, is makruuh.

4. While slaughtering a chicken, the whole neck is cut off. It will not be makruuh and is permissible to eat. However, slaughtering in such a manner is makruuh, although it is not makruuh to consume the chicken.

5. An animal slaughtered by a Muslim is halaal, whether it is slaughtered by a female or male, in the state of tahaarah or hadath (impurity). Animals slaughtered by kaafirs are haraam.

Haraam and halaal things

1. Animals and birds that prey on and eat other animals, and that eat dirty things are haraam to eat e.g., lion, wolf, jackal, cat, dog, ape, falcon, hawk, eagle etc. Animals and birds that do not prey on or eat other animals are permissible to eat, e.g., parrot, mynah, starling, pigeon, dove, sparrow, quail, water fowl, turtle dove, antelope, duck, rabbit etc.

2. The following are also haraam to eat, spiders, scorpions, lizards, turtles, donkeys, mules. The milk of a donkey is also haraam. It is permissible to eat horse meat but better to abstain. Among the creatures of the sea only fish is permissible to eat, the rest are haraam.

3. Fish and locust may be eaten without dhabh (slaughtering). Apart from these no other creature is permissible to eat without dhabh.

4. When a fish dies in the water and starts to float upside down on the water, it is not halaal to eat.

5. It is halaal to eat the stomach of animals and not makruuh.

6. If ants fall into food and die, they should be removed before eating the food. If a few ants entered the throat, the sin of eating a dead thing is committed. Children and adults who eat wild figs with insects or worms in them, thinking that it benefits the eyes, are committing haraam.

7. Free-range chickens that walk about freely, eating dirt etc., should be quarantined for three days before being slaughtered. If not, it is makruuh to eat such chickens.

Intoxicants

1. All intoxicants are haraam and najis (unclean). The same applies to taarii (fermented liquid of certain palm trees). It is not permissible to use it as medicine, and medicine to which these are mixed are haraam.

2. Besides wine, all other intoxicants, e.g., opium, jaifal (nutmeg), za'faraan (saffron) etc., are permissible to use if no intoxication is experienced at all. It is permissible to apply medicine made from these substances. It is haraam to consume (even a minute quantity) things that intoxicate if taken in a large quantity.

3. Vinegar made from taarii (an intoxicant derived from the date palm) and wine are permissible to consume.

4. Some women give their children opium (or other intoxicants) to put them into a stupor so that they do not cry. This is haraam.

Gold and silver utensils

1. It is haraam (strictly prohibited) for both men and women to eat out of gold and silver utensils, or to use such utensils for any other purpose, e.g., to use silver and gold spoons, toothpicks, rose water sprinklers, surmah (antimony) container and applier, holders for 'itr (fragrance), paan (betel leaf), oil, beds, finger rings with mirrors, etc. However, a female may use a ring with mirrors for beauty, but should never use the ring as a mirror.

Clothing and purdah

1. It is prohibited for young boys to wear bracelets, neck chains, and other type of jewellery, silk, velvet, etc. So is the wearing of a ta'wiidh covered with a silk cloth, or encased in silver or gold. It is not permitted for boys to wear clothing dyed with kasam (safflower) or za'faraan (saffron). Briefly, that which is haraam (strictly prohibited) for adults is also haraam for young boys. If the width of the cloth is of cotton and the length is of silk threads, it is permissible to clothe young boys with such cloth. If a velvet cloak is not made of silk, its wearing is permissible for boys and men. Gold or silver lace, not wider than a finger, may be sewn onto clothing.

2. A topii (head cover) or a cloth that has been embroidered with silver or gold will be permissible for boys if the embroidery is not very dense. If the embroidery is such that only the embroidery is visible from a distance, then boys are not permitted to wear such apparel. The same rule applies to silk-embroidered garments.

3. The wearing of thin clothing, like muslin, see-through, anglaise material, etc. is the same as being naked. The hadiith states women who wear transparent garments will be regarded as naked on the day of qiyaamah. If the dress and head cover (hijaab) are transparent, it is a greater calamity.

4. It is haraam for a woman to wear men's shoes and to appear in the countenance of men. Sayyidina Rasuulullaah, sallallaahu 'alayhi wasallam, has cursed such women.

5. Women are allowed to wear jewellery, but it is advisable to wear less jewellery. A woman who wears less jewellery in this world will be granted a lot to wear in the hereafter. Tinkling jewellery should not be worn, nor given to little girls to wear. Besides gold and silver, jewellery made from other metals like copper, brass, pewter, etc. is permissible to wear. But rings made of other metals besides gold and silver must not be worn.

6. Women are commanded to cover their bodies from head to toe. It is not permissible to expose any limb in the presence of a non-mahram. However, a very old woman may only expose her face, hands and feet beneath the ankles. The rest of the body must not be exposed. Very

often the scarf slides off from the head and the woman appears in front of non-mahrams. This is haraam. Not a single strand of hair should be visible in the presence of a non-mahram, as it is a sin. Similarly, it is not permissible to allow any part of the body of a woman to touch any part of a non-mahram's body.

7. A young girl should not expose her face before a non-mahram. She should not stand where she can be ogled at. The custom of all the family men coming to see the face of the new bride is strictly forbidden, and a grave sin.

8. If a woman's face, head, arms, legs etc., become visible to a mahram, there is no sin, The stomach, back and thighs must not be exposed in the presence of mahrams.

9. It is not permissible (for a woman) to expose the portion from the navel to the knees to any woman. Some women expose themselves completely and bath in front of other women. This is a very shameless act.

10. If a woman wants her stomach massaged by a midwife during pregnancy, it is not permissible to expose the area below the navel. This area should be covered with a sheet. It is not correct to expose this portion to a midwife without necessity.

11. Whatever is not permissible to see of the body may not be touched. If the body is not exposed at the time of bathing, it is still not correct for the masseur to massage the bare thighs, etc. If the masseur wears a glove and massages under a covering sheet it will be permissible.

12. For non-Muslim women e.g., maids, domestic servants, washerwomen, etc., who enter homes, the rule is that it is waajib to cover those portions of the body which are prohibited to expose in the presence of non-mahrams, besides the face, hands up to the wrist, and the feet up to the ankles. It is not permissible to expose a single hair.

13. A wife or husband may expose their whole body to their spouses. It should not be done unnecessarily.

14. Appearing before a piir (spiritual guide) is the same as appearing before a non-mahram. Similarly, strict purdah should be observed in the presence of non-mahram relatives, e.g., husband's younger or

elder brothers, sister's husband, husband's sister's husband, paternal and maternal cousins, etc.

15. Some women allow jewellers and vendors to put bracelets and bangles on their hands. This is a shameless act.

Miscellaneous masaa-il

1. It is mustahab to bath every week and remove hair below the navel and the armpits. If not every week, then every fifteen days. The maximum period allowed is forty days. More than this is not allowed. If delayed, one is sinning.

2. It is a sin to burn any living creature. i.e., catching wasps, bugs, etc. and burning them in a fire. It is stated in the Mishkaat that Sayyidinaa Rasuulullaah, sallallahu 'alayhi wasallam, has prohibited it. If there is no alternative than to smoke wasps and to pour boiling water on a chaarpaai (bed) to get rid of bed bugs, it is permissible.

3. It is not permissible to take two-sided bets. However, one-sided bets are permissible.

4. When two persons are talking confidentially to each other, one should not go near them, nor eavesdrop, as it is a great sin. Sayyidinaa Rasuulullaah, sallallahu 'alayhi wasallam, had warned those who eavesdrop on people, and they detest it, then on the day of qiyamaah hot molten lead will be poured into their ears.

5. Whatever is discussed with the husband, and any affairs that take place between a husband and wife, should not be made known to anyone, as it is a great sin to do so.

6. It is not permissible to joke with one who will feel insulted or annoyed.

7. It is not permissible to play games of chance like dice, cards etc., and if bets are placed, it is open gambling, which is haraam.

8. When a boy or girl reaches the age of ten years, girls should not lie down or sleep on the same bed with their fathers or brothers, nor boys with their mothers or sisters. However, it is permissible for a boy to lie next to his father and the girl with her mother.

9. When one sneezes "Alhamdulillaah" should be said. After saying "Alhamdulillaah", it is waajib for the one hearing it, to reply by saying,

"Yarhamukallaah". If no reply is given, one has sinned. If the sneezer is a female, then reply by saying, "Yarhamukillaah." The one who sneezed should then say, "Yagh-firullaahu lanaa wa-lakum." This is not waajib but desirable.

10. If many persons hear a sneezer say, "Alhamdulillaah", it is not waajib for all present to reply. If one among them says, "Yarhamukallaah" it will suffice on behalf of all. If no one says it, all will share in the sin of not replying.

11. If a person sneezes several times and says "Alhamdulillaah" (each time), then it is waajib to reply only three times. Thereafter it is not waajib to reply.

12. When the mubaarak name of Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, is mentioned, heard or read, it is waajib to recite salawaat (duruud), and failure to do so is a sin. If at one place the name is mentioned numerous times, then it is not waajib to recite salawaat every time, reciting duruud once is sufficient. However, if one moves to another place, and mentions, hears or reads the mubaaraak name, reciting duruud is waajib.

13. It is not permissible to cut children's hair and make chotlis (plaits). Either shave all the hair of the head or leave all the hair of the head.

14. Women also receive reward for greeting with "Assalaamu 'alaykum" and handshaking. Both these habits should become prevalent (not between men and women, except among mahrams).

15. Where one is invited as a guest, do not give beggars food to eat. It is a sin to give anything without the permission of the host.

Finding of lost articles

1. If something is found on a road, pathway, invitation, or a gathering, etc., it is not permissible to keep it for oneself. If it is picked up, it should be with the intention of finding and returning the item to its owner.

2. If one finds an article and does not pick it up, one will not be a sinner, but if there is fear that if it is not picked up, it will be picked up by another who will keep it, it is waajib to pick it up and endeavour to return it to its owner.

3. When one picks up an item, one becomes responsible to search for the owner and give it back. If the article is picked up and taken home, one will be a sinner.

4. After searching and announcing in public, one despairs of finding the owner or the heirs, the article should be given in charity. The article should not be kept. However, if the finder is needy it could be kept and made use of.

5. A pet pigeon, parrot, or bird came to a person's house, and is caught. It is waajib to find its owner. It is haraam to keep it.

6. Mangoes, guavas, etc. are found lying in an orchard, then picking it up without the owner's permission and eating it is haraam.

6. Some fallen articles or treasure is found in a house or jungle. The rule that applies to lost articles will apply. It is not permissible to take it for oneself. If the owners are not found after trying to locate them, it should be given in charity. If the finder is poor it could be kept for his own use.

Waqf (endowments)

1. One's personal property, i.e., house, orchard, land, etc. can be made waqf for the benefit of the poor and needy, and it's income spent on them, or the fruit of an orchard can be given to the poor, or poor people can be given shelter in the house. Great reward is received for such an endowment. All pious deeds end upon death, but this is such a pious deed that continues until the waqf remains, rewards will be received till the day of qiyaamaah. Until those for whom benefit is intended, reward continuous to be recorded.

2. The thing that is made waqf, does not remain the property of the endower, but that of Allaah Ta'aalaa. It is not correct to sell or give it as a present to someone. No one will have a say in it. For whatever intention it is made waqf, it will be used for that purpose only.

3. A thing that belongs to a masjid like bricks, cement, lime, wood, or stones, etc., may not be taken for one's own use, no matter how insignificant. Such items must be sold and used for the masjid.

4. It is correct to make a condition that while one lives, part or all of the income received from the waqf will be used personally. One

can then stipulate, "After my death it will be used for a certain good cause", or "My children will be given a certain share, and the residue will be spent on a certain cause".

Keeping hair

1. It is sunnah to grow the hair of the entire head, and also to trim it. To cut some of the hair and leave some at the front of the head, as is the fashion, is not permitted, or to shave a portion of the head and leave a portion is not correct.

2. It is haraam for women to shave their heads, or to cut their hair. The hadiith mentions la'nah (curse) regarding such people.

3. It is sunnah to trim the moustache so that it becomes level with the lips. Precaution should be taken not to shave it off.

4. It is haraam to shave off the beard or keep it short. If the length exceeds one fist, it is correct to trim it. It is correct to trim the sides of the beard to even it.

5. One is allowed to trim the hair growing on the cheeks.

6. The hair of the throat should not be shaved. According to Imaam Abuu Yuusuf there is no harm in removing it.

7. The fuqahaa (jurists) state that the shaving of the hair under the lower lip is bid-ah. Hence, it should not be removed. It is also makruuh to dress and trim the hair of the neck.

8. Because of beauty and adornment it is prohibited to remove white hair of the beard.

9. The hair of the nose should not be pulled out. It should be trimmed with a scissor.

10. It is permissible to trim the hair of the chest and back, but is against etiquette and not recommended.

11. It is recommended that a man shave the hair under the navel with a razor. Shaving should begin under the navel. It is permissible to remove the hair with creams. Women should preferably refrain from using razors.

12. It is best to remove the hair of the armpit with tweezers. It may be removed with a razor.

13. It is also sunnah to pare the nails of the toes.

14. Following is the preferable way to pare the fingernails, begin

with the right hand's shahaadah (index) finger, working from there to the small finger, then begin with the small finger of the left hand going onwards till the thumb and finally the right thumb. As for the feet start with the right foot's small toe and finish at the left small toe. If nails are pared in a different sequence it will be correct.

15. Nails and hair that are cut should be buried or placed in a safe place, but not in najis dirty places.

16. It is makruuh to cut nails with the teeth. This causes the sickness of baras (leprosy).

17. It is makruuh to remove any body hair or pare nails in the state of janaabah.

18. It is preferable once a week to shave the hair from the private parts and armpits, to trim the moustache and to pare the nails. The best day for this is on a Friday. If it is not done weekly then once a fortnight, or at least once every forty days. There is no permission for a period longer than this. If forty days go by without this being done, one is a sinner.

KITAABUL BUYUU'

Buying and selling

1. When a person says, "I will sell this thing for such a price to you", and the other replies, "I have taken it," the article is sold, and the purchaser has become the owner thereof. This is a contract of sale.

2. A contract of sale would arise if two people had a discussion at one place. If during the course of their discussion they moved to another place, the contract would become invalid.

3. A person says, "Give me this thing for fifty cents." The other replies: "I will give it to you". The article is not sold unless the first person says: "I will take it."

4. A person says, "I have taken this thing for fifty cents." The other replies, "Take it." The sale is valid.

5. Without asking, a person took some guavas from a basket and placed fifty cents in the hand of the seller. If the seller takes the money with pleasure, the sale is through, even though neither said a word.

6. Someone said, "Sell me all these things for eighty cents." The buyer cannot pick and choose now without the consent of the seller. However, if every single article is priced separately, the buyer may pick and choose.

7. In the sale of an article it is necessary for both the buyer and seller to speak clearly. Vague language must not be used as an argument may ensue. Similarly, there should be complete clarity about the price, otherwise the sale will be null and void.

8. A person purchases something for one dinaar (dirham, rand, riyaal, rupee, etc.) and says, "First give me the article, then I will pay you." To this the seller replies, "No, first give the money, then I will give it to you." In such a case, the money must be given first.

Finding out the price

1. A person closes his palm and says, "For the amount that I have in my (closed and concealed) palm give me a certain article." It is not known what the amount in the palm is. Such a transaction is not valid.

2. In a town two types of currencies are used. It must be clearly

stipulated beforehand which currency is going to be used. If not, payment will have to be made in the more prevalent currency. However, if both are used equally, the sale is null and void.

3. A merchant says, "If you take this, whatever fair price it has, I will take it. Why should I take more from you?" or says, "I will let you know the price later," or says, "Pay whatever you wish, I will not refuse." In all these cases the sale is null and void.

4. When all necessities are purchased from a certain shop and the buyer does not inquire about prices. Then at the end of the month the account is settled. This type of transaction is correct.

5. A person buys somthing for a dinaar (dirham, rand, etc). The purchaser may pay by giving a one dinaar (rand) coin; two fifty cent coins; five twenty cent coins; or ten ten cent coins etc. The seller may accept or refuse the smaller denomination coins.

Regarding merchandise

1. One has the option of selling grain etc., by weight or measure. For example, a heap of wheat is sold for one dinaar (or rand etc.). Whatever amount of wheat is derived from the heap will belong to the buyer.

2. Similarly, one may sell mangoes, guavas, oranges etc. by count or mass (weight).

3. A basket of mangoes was purchased for twenty dinaars (rands) on condition that it contained four hundred mangoes. On counting it was found to contain three hundred mangoes only. The purchaser has the option of accepting or rejecting it. If the mangoes are taken, the purchaser will not pay the full price, but will buy at the rate of five dinaars a hundred.

4. A person buys a dopatta (ornii, ladie's head cover) or similar cloth, where, if any part of it is torn, it becomes useless or defective. At the time of purchasing, it was a condition that it should measure two and a half metres. When measured it was found to be less. The price cannot be reduced. The full price will have to be paid. The buyer has the option of taking or leaving it. If the cloth measured more than two and a half metres, the price may not be raised. The buyer stands to benefit.

5. At night two silk izaars (pyjama-type trouser) cords were purchased for one rand. In the morning it was found that one cord was made of cotton. The sale of both cords are now invalid. A second transaction must be made to purchase the articles.

Buying on credit

1. A person bought something and said, "I will pay you later." This sale is in order. But if it is said, "I am buying this from you on condition that I pay you later," the sale is invalid.

2. A person says, "Sell me a certain article. I will pay you when my money comes", or says, "When my brother comes I will pay you." In both cases the sale is not valid. A fixed time must be made for making payment.

3. Normally twenty kilos of wheat is sold for the cash price of ten dinaars, but because it was a credit transaction, someone was given only fifteen kilos for ten dinaars. Such a sale will be valid, but it must be made known at the time that it was a credit transaction.

4. If a merchant says to the buyer, "If you pay cash, the wheat will be twenty kilos for ten dinaars, but if taken on credit, it will be fifteen kilos for ten dinaars." Such a transaction is not permissible.

Condition of returning an item

1. At the time of purchase it was said, "There is an option of one, two or three days to decide whether you want to take it or not." If it is so desired it shall be kept, if not, it shall be returned. This will be correct. This is called khiyaarii shart.

2. Someone said, "I have the choice of taking or not taking a said article within three days." Three days passed and no answer was given, nor was the article returned. Now the choice falls away. The article must be purchased (taken).

3. Articles may not be kept longer than three days.

Buying an article without seeing it

1. A man purchases an article without seeing it. This is permissible. However, when the article is seen, he may still decide to keep or return it, even if there is no fault in the article.

2. A person sold something without seeing it. If the seller sees it afterwards, he does not have the right of taking it back.

3. If edible things were purchased, they must not only be seen, but tasted too.

Faults found in merchandise

1. When an article is being sold, it is waajib (incumbent) for the seller to point out all its faults. It is haraam to sell it without pointing out its faults, and thus deceive the buyer.

2. After buying an article, a fault is discovered therein. The buyer may keep or return it. If the article is kept the full price will have to be paid. It is not proper to make a deduction because of the fault except if the seller agrees, then it is permissible to make a deduction.

3. After purchasing cloth, it was cut for sewing. Then a fault in the material was found. Now the cloth cannot be returned, although the price may be reduced. But if the seller demands that it be returned and that the price will not be reduced, the buyer must return it. If after having sewn the material, a fault is found, a reduction in the price will be made because of the fault. The seller cannot take back the sewn garment.

4. A person bought eggs and on breaking them found all the eggs were rotten. A full refund may be claimed. If some eggs turned out to be rotten and some good, a refund for the rotten eggs may be claimed.

5. After purchasing merchandise a fault was discovered, but in spite thereof, the buyer began making use of it. The right of returning it falls away.

6. At the time of selling, the seller says, "Have a good look, I will not be responsible if a fault is found or it is defective." The article was purchased. Now whatever faults may emerge, the buyer does not have the right to return the article. It is permissible to sell an article in this manner.

Bay' baatil and bay' faasid
(Invalid transactions)

1. Any transaction, which in the sharii'ah, is completely unreliable and absurd, should be understood as a transaction in which nothing was bought or sold. Such a transaction is termed bay' baatil. The

verdict regarding such situations is that the buyer does not become the owner of the article, therefore, it is not permissible for the buyer to use the article, nor to give it to anyone else. Where a transaction had already taken place, but (in the transaction) there is some fault, such a transaction is termed bay' faasid. The verdict regarding this is that for as long as it is not in the possession of the buyer, it does not become his property, and though it becomes his property after taking possession, it will not be regarded as halaal tayyib (lawful). Therefore, it is not correct to use such an article. It is waajib to cancel such a transaction. If the transaction is not cancelled, but the article sold to another, it will be a sin. However, it is permissible for the second buyer to eat, drink and use it.

2. Among landowners, it is common practice to sell fish which live in a dam. This is bay' baatil. For as long as fish are not caught, they belong to nobody and the one who catches them owns them.

3. Grass that grows naturally on someone's land does not belong to anyone. Whoever wishes may cut it and take it away. It is not correct to sell it, nor is it correct to stop anybody. Certainly, if it is planted and irrigated, the grass becomes the property of the owner. Now it becomes permissible to sell it, and to stop people taking it.

4. It is a baatil transaction to sell unborn animals which are still in their mothers' wombs. The sale of a pregnant animal is correct. If the animal is sold on condition that the newborn will belong to the seller, then this transaction is bay' faasid.

5. It is a baatil transaction to sell milk which is still in the udder of an animal before milking it. Similarly, it is not permissible to sell the wool or hair of a sheep etc., before it is sheared.

6. Someone sold a house on condition that they will continue to stay in the house for a month, or made it a condition that a loan for so many months must be given, or that something will be delivered to their house. All such conditions are bay' faasid.

7. Some grain, ghii (clarified butter), oil etc., was purchased after agreeing on a price. Now observe, if after purchasing it, was it weighed in your presence; or was it not weighed in your presence, but it was said to you, "You may go, we will weigh it and send it to your house";

or a pre-weighed article was taken and given without re-weighing it. These are three situations. Concerning the law of the first situation, it is not necessary to re-weigh the article after taking it home. Without weighing, it is correct to eat, drink or sell it. The law concerning the second and third situation is that until one does not weigh the article himself, it will not be correct to eat, drink or sell it. If the article is sold without re-weighing, it becomes bay' faasid.

8. Before buying, an article was weighed and shown to you, thereafter you purchased the article. The article was not re-weighed. In such a case it is necessary for the buyer to re-weigh the article.

9. A fowl, sheep or cow etc., died. The selling of it is haraam and baatil. It is also not permissible to give it to a bhangii (toilet cleaner) or chamaar (leather tanner) to eat. They may remove it to dispose of it.

10. A beehive made in a house belongs to the person living in the house. It is not permissible for another to break it or take it.

Selling at a profit or at cost

1. We purchased a thing for one rand. Now we have the option of selling it for only a rand or if we so desire for ten or twenty rands. There will be no sin in doing so. But if a transaction was, "Make twenty cents profit on a rand and sell it on my behalf" and you said, "I sold the article with twenty cents profit on a rand," it is not permissible to make more than twenty cents profit. In the same manner, if you said, "I will give you this article at cost price and will not take a profit," it is not correct to make a profit.

2. While bargaining during a transaction it is said, "Sell it and make only a twenty cent profit." The seller says, "All right, give only so much to me", but it has not been stipulated for what amount the article was beeing purchased. Now, if the seller reveals the cost price before ending that majlis, the sale will be correct. If the cost price is not mentioned at that moment, but it is said, "Take the article, I will check my accounts and let you know", or something else is said, then that will be a bay' faasid.

3. After purchasing an article it is found that the seller was crafty and did not give the correct cost price, and the profit charged was in

excess of the promised rate. Then the buyer does not have the option of tendering a lesser amount. Certainly, the buyer has the choice of not taking the article and returning it.

4. You purchased an article on credit. Until it is not made known to the second buyer that this article was bought on credit, it is not permissible to sell the article with or without a profit.

5. A piece of cloth was bought for one rand, then twenty-five cents was spent on dye, in washing or sewing it. Now it will be understood that it was purchased for one rand and twenty-five cents. Therefore, it is correct to say that the original price is one rand and twenty-five cents. Do not say, "I purchased it for one rand and twenty-five cents", but say, "It has cost me one rand and twenty-five cents", so that falsehood is not committed.

Interest (usury) transactions

1. It is a great sin to participate in any transactions containing interest. The Qur-aan and hadiith severely condemns it, and its avoidance is greatly emphasised. Five categories of people who participate in any form of interest transactions are cursed by Sayyidinaa Rasuulullaah, sallallahu 'alayhi wasallam:

a. The taker of interest;
b. The giver thereof;
c. The one who facilitates and organises the taking thereof;
d. The one writing the transaction;
e. The witnesses etc. Sayyidinaa Rasuulullaah, sallallahu 'alayhi wasallam has said, "The giver and taker of interest (usury) are equal in sin."

2. It is customary in India, to associate interest with four categories:

a. Gold, silver and things made from it.
b. Items which are weighed when sold. e.g., grain, wool, corn, iron, copper, bread, vegetables.
c. Things that are measured. e.g., cloth.
d. Things sold by counting. e.g., eggs, mangoes, guavas,

oranges, sheep, goats, cattle, horses etc. All these should be considered to have a separate rule.

Gold and silver

3. There are various ways of buying silver and gold. One way is to buy silver with silver and gold with gold. For example, buying silver for a (silver) rand, or gold with a (gold) rand. Briefly, both are of same type. In such instances two things are waajib (incumbent). The first is that the silver or gold be equal in amount on both sides (from the purchaser and seller). The second is that the transaction must be completed before the buyer and seller separate, and no debt should be left pending. If any of the two conditions are contravened, it will amount to interest. For example, if you purchased silver for one (silver coin) rand, the silver purchased should be equal in weight to that of the silver coin rand. If the silver purchased is less or more in weight than the (silver coin) rand tendered, then interest will result. In the same manner, if you had already given the (silver) rand but the seller has not given the silver yet, but has promised to give it a little later, after separating from you; also, if you have not paid (in silver rand) but took the silver on credit, this will also be considered interest.

4. In another example, on one side it is silver and on the other side it is gold. The rule regarding this is that the weight of both do not have to be same. Whatever amount of gold is acquired for a (silver coin) rand will be permissible. In the same manner, whatever amount of silver is acquired for paying by a (gold rand) will be permissible. In this situation too, it is incumbent that the transaction be completed and there must not be an outstanding debt before parting.

5. An easy way is for one party to put down any amount of silver coin dinaars (rands etc.), and for the other to put down any amount of silver. Both must add a cent each and say, "We take this silver for this cent and these silver coin dinaars (or rands, etc.) in lieu of this cent. This will save one from all complications, as the silver coin dinaars and the silver will be regarded to be in exchange for each party's cent which is made of nickel or copper. The weight does not have to be the same.

Selling by weight

1. Grain, meat, iron, copper, vegetables, salt and similar items, which one wishes to sell or exchange for the same type of article, for example, to give grain and take other grain, or flour in exchange for flour. Briefly, it entails exchanging something for the same type of thing. It is waajib (incumbent) to consider two things. The first is that both must be exactly equal. It must not be a little less nor a little more, otherwise it becomes interest. The second is that the transaction must be completed at that moment and possession of goods taken immediately, otherwise it becomes interest.

2. Those articles that are sold by weight, and which are not of the same type, e.g., to exchange wheat for paddy (rice in the husk); chanaa (chick peas); millet; salt; meat; vegetables or some other article. The articles exchanged are therefore not of the same type, then in such a case it is not waajib that the articles be the same weight. It is permissible to exchange a kilo of wheat for eight kilos of paddy. Although the second condition mentioned above is also waajib here, namely that the transaction be completed face to face. If done otherwise one will be committing the sin of interest.

3. Articles that are sold by weight and are paid for with money; or clothing etc. is exchanged for those things that are not sold by weight but by measurement or count, e.g., a roll of cloth is exchanged for wheat etc., or wheat, chanaa etc., is given and guavas, oranges, pears, eggs or such articles that are sold by count are taken, then in such a case the above mentioned two rules are not waajib. In exchange for a cent any amount of wheat; flour; vegetables may be taken. After giving wheat; chanaa etc., any amount of guavas, oranges etc., can be taken. If desired, the transaction may be completed at that moment, or later, after departing. All such transactions are correct.

Bay'us salam (paying in advance)

1. A person was given ten dinaars (rands) before or after harvesting a crop, and said, "After two months on a certain date we will collect from you wheat for the value of ten dinaars." A rate was then fixed that for ten dinaars ten kilos, or for twenty dinaars twenty five kilos

will be taken. This transaction is correct. The wheat will have to be given as promised at the stipulated time for the sum agreed, whether the market price has gone up or down. The current ruling price of the commodity will not be considered. Such a transaction is called bay'us salam, but many conditions must be considered to make such a transaction permissible.

The first is, that the quality of the wheat etc., be explicitly and clearly defined, so that at the time of delivery there is no misunderstanding between the two parties. For example it is said, "Such and such type of wheat must be given, it must not be very thin and small, it must not be damaged by frost, it must be of a good quality and not gone bad, it must not be mixed with anything like barley, chanaa (chick peas), peas etc., it must be completely dry and not damp." If at the time of transaction it was only said, "Wheat for ten dinaars (or rands) must be given", then such a transaction will not be permissible. Or it is said, "For this ten dinaars paddy must be given; or rice must be given." No details were stipulated. All these are prohibited.

The second condition is, that the rate and amount must also be fixed at the time of negotiation, that, for ten dinaar, fifteen or twenty kilos will be taken etc. If it is said, "Whatever the ruling price in the market will be at the time of delivery, such an amount must be charged;" or, "two kilos more than the ruling price at the time must be given." This type of transaction too is not permissible.

The third condition is, that the amount which the buyer intends spending on purchasing wheat should be made known, e.g. "We are going to spend ten dinaars (or rands) or twenty dinaar etc." If the amount is not fixed and just a vague statement is made, e.g. "We will also buy for a little sum", then this will not be correct.

The fourth condition is, the full amount is paid then and there. If after making an agreement the parties disperse and the money is given later, the agreement will lapse. Now a new agreement will have to be made.

The fifth condition is, that the minimum time stipulated should be one month, and that the wheat should be collected on a certain date. It is not correct to stipulate a period of less than one month. Any time

period stipulated in excess of a month will be permissible, but the day, date and month must all be fixed so that no argument may arise later. If the day, date and month are not fixed, but it is said, "Deliver when the crop is harvested", this will not be correct.

The sixth condition is, that the wheat must be delivered at a certain place, i.e. in this town or in another town; also say where it is intended to be received; e.g. "It must be delivered to our house." Whatever is intended must be clearly stated. If it is not stated, the transaction will not be correct.

If the transaction is made according to these conditions the bay'us salam will be correct, otherwise not.

2. Another required condition for bay'us salam to be correct, is that from the time the transaction is made till the time of delivery, the article should be freely available in the market. It must not be a scarce commodity. If in the interim the article becomes totally unavailable and it cannot be found in the markets of the town or country, or if it can only be imported with great difficulty from another place, then this bay'us salam becomes invalid.

Shuf'ah

1. As soon as a shafii' hears of the sale (of something which he has rights) and does not immediately utter verbally, "I will take up the right of shuf'ah", then the right of shuf'ah lapses and thereafter it is not permissible for such a person to make a claim later on. If a letter reaches a shafii', and at the top the information is given that a certain house has been sold, and if the person does not verbally say immediately, "I take up the shuf'ah", but continuous reading to the end of the letter, and then says, "I take up the shuf'ah", then the person's right of shuf'ah is forfeited.

2. If a shafii' says, "Give me a certain sum and I will renounce and withdraw my right of shuf'ah", that person has agreed to forfeit the right of shuf'ah, therefore, the right of shuf'ah is forfeited. But, since this is bribery, it is haraam to take or give any money.

3. So far the judge has not given the verdict of shuf'ah and the shafii' died. The heirs of the shafii' will not inherit the shuf'ah. If the other buyer died, the right of shuf'ah remains.

4. News reached the shafii' that the house was sold for a certain amount. As a result, the right of shuf'ah was renounced. Later it was found that it was sold for a lesser amount. Now shuf'ah can be claimed. In the same manner, it was first heard that a certain person is a buyer, then it was heard that there is another buyer, or it was first heard that half is sold, then it became known that the whole place was sold. In these situations the original renunciation does not invalidate the right of shuf'ah.

Note:

a. Shuf'ah is the right given by the sharii'ah to a person of purchasing fixed property by virtue of him being a partner or neighbour of that property.

b. A shafii' is the person that has the first option of purchasing such property, for instance a partner or a neighbour.

Taking up loans

1. An article which you can repay in the same manner, may be taken as a loan, e.g., grain, eggs, meat etc. Articles where it is difficult to give the same in return cannot be taken as a loan, e.g., guavas, oranges, goats, fowl, etc., because the size, weight, sweetness or taste may not be the same. In the case of livestock, the tenderness and texture may also not be the same.

2. When ten kilos of wheat was sold for ten dinaars (or rands), you borrowed five kilos of wheat. Later, wheat became cheap and for ten dinaars, twenty kilos were obtained. You only have to give back five kilos. In the same manner, if the price escalated, then too the amount that was given as a loan must be returned.

3. For the quality of wheat you gave, the borrower gave back a better quality. It is permissible to take such wheat. This is not interest. It is not correct to say at the time of making a loan that a better quality will be returned. (In other words, such a condition cannot be stipulated at the time of borrowing) Even the weight must not exceed the amount given. When giving and taking, the article must be carefully and correctly weighed.

4. If an amount of money or grain is taken as a loan with a promise that within a month or fifteen days it will repaid, and the deal was accepted, such a time limit is not permissible. If the creditor needs the amount before the stipulated time and asks you for it, or without any need asks for it, you will have to repay it.

Guarantee (surety)

1. Na'eem owes somebody some money. You stood surety and said, "If he (Na'eem) does not repay, then take the money from me, I am responsible." The creditor accepted your surety. Now the responsibility for repayment became waajib (incumbent) on you. If Na'eem does not repay, you will have to pay. The creditor has the choice of demanding from whom he desires, either from you or from Na'eem. If Na'eem does not repay the loan, or has it waived (forgiven), you will still be responsible. Certainly, if the creditor absolves you from your responsibility and says, "I have no demand on you, nor will we demand payment from you", your responsibility lapses. If initially the creditor did not accept your responsibility, and said, "I do not rely on your guarantee", or said something else, then you will not be held responsible.
2. If a non-baaligh boy or girl gives a guarantee for someone, it will not be valid.

Appointing a wakiil (representative)

1. When a person works for himself, he may say to another, "Please do this work for me." (e.g., selling, purchasing, hiring or give for hiring, performing nikaah, etc.,) or he may send an employee to buy at the market or sell something through an employee, or hire a conveyance. The person through whom such work is done is called a wakiil in the sharii'ah.

2. You send an employee to purchase meat at the market. He buys it on credit. The butcher cannot demand payment from you. Payment will be demanded from the employee, and the employee will demand it from you. Similarly, if a thing is sold for you, then you do not have the right to demand payment from the buyer. Payment will be made to the person from whom the article was received. If the buyer pays you of his own accord, it will be permissible.

Dismissal of a wakiil (representative)

1. At all times you have the right to suspend or terminate the authority of a wakiil. For example, if you said to someone, "I need a sheep. If one is found somewhere, buy it." If you stopped the person saying, "Do not buy it now," the wakiil does not have the right to purchase it. If the sheep is purchased, it will be the buyer's own responsibility.

2. If the wakiil was not asked verbally to stop the purchase, but was informed by letter not to purchase a sheep, then too the wakiil is dismissed.

Partnership in business

1. You give someone money to establish a business, and you say, "Whatever profit is made, you and I will share it." This is permissible. It is termed mudaarabah. But there are many conditions. If it is in accordance with these conditions, it is correct, if not, it will be prohibited and faasid. The conditions are as follows:

1. Whatever amount is decided upon should be made known, and given to the partner. Do not keep it. If the money is withheld from the partner, the transaction will be faasid.
2. It should be clearly stipulated what percentage of profit you will receive, and what percentage your partner will receive. If this is not stipulated, but it is only said that profits will be shared between you and him, it becomes faasid.
3. Do not decide on the distribution of profits in a manner where, if for example ten dinaars (rands) will be your share and the rest will be for your partner, or ten dinaars will beyour partner's share and the rest for yourself. It is better to agree that half is for yourself and half for the partner, or one-third for one party, and two-thirds for the other party; or a quarter for one party, and threequarters for the second party. Profits should be shared percentage wise. Whatever loss is incurred will be for the liability of the owner of the capital, who loses the amount.

Partnership

There are two forms of partnership:

1. One is called shirkat amlaak, which would be the case where a person dies having an estate in which some of his heirs are his partners; or where, by investing money, two people buy something; or one person buys something and gives it as a present to two people jointly. The law regarding this is that it is not permissible (for one partner) to use or dispose of it without the consent of the other partner.

2. The other form is called shirkat 'uquud, wherein two people agree to become partners in business. The various types and regulations of this partnership are:

   1. One type of shirkat 'uquud is called shirkat manaan, where two people put together a little money and agree that cloth or grain will be purchased and a business established. The condition in this venture is that the capital of both partners will be cash. If one puts down cash and the other does not, the partnership will not be correct.
   2. One type of shirkat 'uquud is called shirkat sanaa-ee' and shirkat tidal, for example, where two tailors or two dyers make an agreement that whatever work is received by either of them, will be accepted. Whatever is earned will be shared on the basis of half/half; or a quarter/three quarter; or one-third/two-thirds etc. This is permissible.
   3. An assignment accepted by one partner becomes incumbent on both partners. For example, one partner accepts cloth for sewing, then the customer can demand from him and from the other partner to sew the cloth. In the same manner, the one sewing the cloth can demand payment, but the partner can accept payment. Also, by paying one partner the owner (customer) has discharged his obligation; likewise if payment was made to the other partner, the owner has no further claims.

Distribution in a partnership

1. Two people got together and purchased wheat at the market. When

the shares are divided it is not necessary for both partners to be present. If the other partner is not present, the article should be weighed exactly, and the partner's share be divided. This is correct. After the shares have been divided, you may eat, drink, give to another, or do what you want with your share. All this will be permissible. The same rule applies to ghii, oil, eggs, etc. It also applies to goods that are of the same quality, like eggs or wheat. In the same manner the rule also applies, namely that, it is permissible to divide the shares if the other partner is not present. But, if the other partner did not take his share, and it disappeared, then both partners will bear the loss. Where articles differ (in sizes, colour, firmness, etc.) like guavas, oranges etc., the rule is that if both partners are not present, it will not be permissible to divide the shares.

Amaanaah (trust)

1. Someone left something in trust with you, and you accepted it. It is waajib for you to look after it. If you are negligent or lax in looking after it and it gets lost or perishes, you will have to compensate the owner for the loss. But, if you are not lax in looking after it, and yet the article disappears (stolen) or perishes, or your house catches fire and the article is burnt, then no compensation becomes waajib. If you of your own accord give compensation it will not matter.

2. Someone said, "I am going to go to work, keep this thing for me." You replied, "Leave it here," or you said nothing. The person left the thing and went away. It becomes an amaanah (trust). If you said, "I do not know, leave it by someone else," or you said something and refused, and the person left the thing and went away. Now the thing is not an amaanah. If you took the thing and put it aside, it becomes an amaanah.

3. One who has an amaanah has the choice of keeping it in safe custody personally, or handing it to a relative who lives in the same house for safe keeping. Sometimes it is necessary to store one's belongings by this relative too. It is not permissible to hand over an amaanah for safe keeping to a dishonest person. If such an article disappears, compensation will have to be given. It is not permissible to

leave an amaanah with anyone besides a relative without the consent of the owner.

4. If the house catches fire, then it is permissible to keep an amaanah by another person. But, as soon as the danger is over, it must immediately be taken back. If not, compensation will have to be given. In the same manner, if one dies and no one is present in the house, it will be permissible to hand an amaaanah to a neighbour.

5. Someone left some money as amaanah. It becomes waajib to look after it. It is not permissible to mix it with one's own money, or to spend it. Do not think all money is the same. If permission was given, then it is permissible to spend it. The rule regarding this is that, if the same money is set aside safely, it will be regarded as an amaanah. If it gets lost, there will be no compensation. If it was spent with permission of the owner, it becomes a loan and not an amaanah. You will have to repay the amount.

6. A goat or cow etc., was left as amaanah. It is not permissible to use its milk or benefit from the animal in any way. Only when permission is obtained, it's use is permissible. The amount of milk etc., taken without permission will have to be paid for.

7. A person gave you money to keep. You put it into a purse or money-belt, but some of it fell unnoticed. You keep thinking, "I put it into the purse." Compensation will not have to be given.

8. If one asks for one's amaanah, it becomes waajib to immediately return the amaanah. It is not permissible to delay handing it back, or to withhold it, without a valid reason. A person asked for the return of an amaanah. You said, "Brother, I am busy now, take it tomorrow". The person agreed. Then there is no problem. But, if the person does not want to take it the next day, and as a result becomes angry and goes away, the thing is no longer an amaanah. If the thing gets lost etc., compensation will have to be paid.

Borrowing

1. Clothing, jewellery, beds, utensils, or other goods were borrowed for a few days, with the intention of returning them after the need was met. This will also be regarded as amaanah. It is waajib to keep the

goods safely and with the utmost care. If despite carefully looking after it, an article gets lost or perishes, the owner does not have the right to demand compensation, even if you had previously agreed that if it got lost or perished, compensation would be given. If the article was lost or perished due to negligence, compensation must be given by the borrower. The owner of the article has the right to demand the return of an article at all times, and it is not correct for you to refuse. If a thing is not returned after a demand is made, and the article perishes etc., compensation will have to be paid.

Hibah (gifts - presents)

1. You give a person something, and it was accepted; or nothing was said and something was put in his hand and he took it, he becomes the owner of that thing. In the sharii'ah this is called hibah. Many conditions are attached to this. If you say, "I will give this thing to you," and the reply is, "I will take it," but you have not given it yet, this will not be correct. The thing will still belong to you. Certainly, after taking possession, the person becomes the owner of the article.

2. If a locked bag etc., with some clothing in it was given, but its key was not given, then no possession has taken place. When the key is given, possession will take place, and the person will become the owner.

3. If a half, a third, or a quarter of an article is given, the complete article is not given. The rule regarding this is to see what type of article it is. After it is divided in two, can it still be made use of? If after dividing it in half and its use does not remain, like a grinding stone, bench, bed, jug, suitcase, animal, etc. then such things, without dividing them, can also be given as a half, a third or whatever is desired, and will be permissible. If the person takes possession of whatever portion you have given him, he becomes the owner of that portion, and that thing is shared. If the thing is such that after dividing, it can still be made use of, like land, house, a roll of cloth, firewood, grain, milk, yogurt, etc., it will not be permissible to give it without dividing it. If you said to someone, "I have given half of the ghii (clarified butter) in this utensil to you," and he replies, "I have taken it." This will not be correct. Even

if he takes possession of the utensil, he will not become its owner. The ghii (clarified butter) still remains your property. Yes, if the ghii was divided in half, separated, and given to him, he will become its owner.

4. When two people get together and purchase a roll of cloth, or a house, or farm etc., it is not permissible to give one's own share to anybody until the article or property is divided.

5. If non-baaligh boys or girls give their possessions away, it will not be correct. It is also not permissible to accept such a gift.

Gifts to children

1. Whatever is given to small children on certain occasions is not actually a gift to them, but is meant for the parents. Therefore, the parents and not the children are the owners. They may do with it as they please. Certainly, if a person gives something specially to a child, the child becomes the owner. If the child does not take possession, or is not in a position to do so, the father may take possession; or in the absence of the father, the grandfather may take possession on behalf of the child. If there is no father or grandfather, the guardian should take possession. If the mother, maternal grandmother, paternal grandmother etc., take possession in the presence of the father or grandfather, the possession is not valid.

2. When one gives to one's children, they should all be given an equal amount. Boys and girls should be given the same value. If at times one child is given a little more, no harm is done. Giving one child less should not be to harm or deprive him or her, otherwise it is not permissible.

3. The rule concerning a thing owned by a non-baaligh child is that it must be used for that child. It is not permissible to use it for one's self. Parents themselves should not use it, nor use it for other children.

Taking back a gift

1. It is a great sin to give something and take it back. However, if the person to whom a gift was given, on his own accord happily returns it,

then the donor becomes its owner again. But, sometimes a gift once given cannot be taken back. For example, you gave someone a goat. The person fed and nurtured it until it became fat and healthy. You may not take it back. If you gave land, and the recipient built a house and established a garden on it, there is no option of taking it back.

Renting (hiring)

1. You rent a house for a month and take charge of it. At the end of the month you will have to pay the rent, regardless of whether you lived in it or left it empty. Payment of rent is waajib.

2. A tailor sews clothes, a dyer dyes clothes, or a washerman washes clothes. They have the right not to give you the clothing, until they receive their due payment from you. It is not correct to take the clothing without paying them. If a porter was hired to move a bag of grain for a sum of money, then it is not permissible for him to keep your grain after asking for payment, as the condition of the grain did not change after moving it. In the case mentioned previously, a change occurred in the clothing that was given for sewing, dyeing, or washing.

3. If a condition was made that only that a certain person may sew, dye or wash your clothes, it cannot be given to someone else to do. If such a condition was not made, the work may be given to another person to complete.

Faasid (invalid) rental contracts

1. If at the time of agreeing to rent a house no time period was fixed. When the rent must be paid; or a house was taken without the rent being fixed; or a condition was made that, whenever maintenance was required, it would be done; or a house was occupied with a promise that it would be repaired regularly in lieu of rental, all these would be faasid rentals. If it was said, "Stay in this house, maintain and repair it, there is no rental", it would be regarded as a concession, and is permissible.

2. A person rents and agrees to pay a rent of twenty dinaars (rands) a month. It will be permissible to take the house for one month only. (After a month has passed the owner has the right to evict the tenant.)

However if the tenant stays for another month, the same rent will be payable. Thus a new transaction comes into being every month. If an agreement to stay for four or five months was made, the contract will be valid for that period. The landlord does not have the right to evict the tenant before the agreed period ends.

Cancelling a hire contract

1. A house was taken on hire. It was found to leak profusely, or a part of it fell in, or some other fault became evident. As a result, it became difficult to live in it. It is permissible to cancel the rental contract. If the house fell down on its own accord, the rental contract automatically ceases. Thus it is not a question of the renting party having broken the contract, nor the consent of the landlord is needed to annul the contract.

2. If either the hirer or the landlord dies, the contract expires.

3. If a situation arises where the rental agreement has to be cancelled due to helplessness, it will be correct to terminate the agreement. For instance, where a conveyance was taken on rental to go somewhere, and the person changed his mind so that the intention no longer exists, it is correct to cancel the rental contract.

4. Sometimes it is customary to pay a sum in advance after a rental agreement is made. If the journey is made, the advance amount is deducted from the full amount due. If the journey is not undertaken the advance amount must still be refunded.

Compensation

1. Some work was taken to a dyer, washer man, tailor, or to some artisan etc. The article which was given to work on is an amaanah in the care to whom it is given. If it is stolen, or due to unforeseen circumstances it gets lost, it will not be correct to demand compensation. But, if the article becomes soiled and tattered, or some high quality silk was put in a cauldron for boiling and became damaged, it will be permissible to take compensation. If the clothing got lost, and the person was unable to say where it went, or what had happened, then taking compensation for it is also permissible. If there was a burglary, resulting in the theft of the article, then it is not correct to take compensation.

2. If a porter was asked to deliver some ghii (clarified butter), oil, etc. and he dropped it on the way, it is permissible to take compensation.

3. Servants who are employed to look after and feed children, and due to their negligence a child's jewellery or something gets lost, it will not be correct to take compensation.

Taking without permission

1. It is a great sin to take someone's belongings by force, or to take something without the owner's permission. Some women take their husband's or a relative's possession without permission. This is not permissible. A thing that was taken without permission, and if that thing is still available, must be returned. If it was used up or spent, then the rule is, it is waajib to purchase the same type of article and return it. If the article cannot easily be replaced by buying it in the market, then its value must be repaid.

2. If another person's chaarpaai (bed) was used without consent and one of the legs broke, or the strapping snapped, or some other thing was taken and it became damaged, compensation will have to be given for the amount of damage incurred.

3. If a business was started with another's money without permission, it is not permissible to make use of the profits. The original capital must be returned to the owner. Whatever profit was made must be given in charity to the very needy.

4. Someone's precious stone was taken and put in a ring. Now the stone's value will have to be paid. It is not waajib to break the ring and return the stone.

5. It is not permissible to take someone's cotton, needle, paan, tobacco, katthaa (catechu), chaalia (betel nut), etc., without permission. It is waajib to repay the value of things taken, or to seek pardon from the owner.

Pawning

1. You took a loan of ten dinaars (rands), and as security left an article, saying, "If you do not trust me then keep this article." When the money is repaid you will take back your article. This is permissible.

2. When you pawn an article, you do not have the right to demand the article back until you repay the loan.

3. An article left by someone as security with you cannot be used, nor may any benefit be derived from it. Likewise, it is not correct to eat the fruit of an orchard, to consume the harvest from the soil, to use money, or to live in a house, etc., where the thing was given as a security.

4. If a goat, cow etc., is placed as a security, it is not correct for the one keeping the security to use its milk, lambs etc. These belong to the owner. You may sell the milk of the animal and add it to the security. When the loan is repaid, return the security and the amount realised, after deducting the amount spent on feeding the animal.

Making vows

1. A vow is made that some (specific) act of 'ibaadah will be made after a desire is accomplished. Thereafter the act must be done in accordance with the vow. It now becomes waajib to carry out that 'ibaadah. It will be a great sin if the 'ibaadah is not fulfilled. However, if the vow was absurd and has no credence in the shari'ah, then it is not waajib to fulfil such a vow.

2. Someone says, "O Allaah, if my certain desire is fulfilled, I will keep saum (rozahs, puasah, fasts) for five days." When the desire is fulfilled, five saum, will have to be kept. The saum may be completed in units of ones, twos or continuously, one after the other. If a vow was made to keep the saum continuously, the saum will have to be kept one after the other until it is completed. If a saum is missed in between, the saum will have to be repeated all over again.

3. If it is said, "I will keep saum on Friday," or "I will keep saum from the first of Muharram till the 10th of Muharram", it is not waajib to observe saum on a Friday, nor during those days of Muharram. It will suffice to keep saum for ten days whenever desired. But, the ten saum will have to be kept continuously. It will be permissible to fulfil these saum in Muharram or in any other month. In the same manner if it is said, "If my wish is fulfilled I will fast tomorrow," then, too, one has the option of observing saum on any day thereafter.

4. A person makes a vow that if his article is found, he will perform

eight rak'ahs s̲alaah. After finding the lost article, eight rak'ahs s̲alaah must be performed. Niyyah may be made for eight rak'ahs, four four rak'ahs, or two two rak'ahs.

5. If a vow is made that ten miskiins (very poor people) will be fed, then this must be done. If it was thought that they will be fed once or twice, then this must be carried out. If there was no such intention, then ten miskiins must be fed twice. If uncooked grain is given, the same rule applies. If it was intended to give every person so much, then that amount must be given. If no quantity was thought of, then every one must be given the amount of s̲adaqatul fit̲r, i.e., two kilos wheat (or flour), or its monetary value.

6. If a vow is made that s̲alaah will be performed in the jaami' masjid or in Makkah Mukarramah, one may perform the s̲alaah wherever desired.

7. A woman made a vow that if a certain work was accomplished, she would have mauluud (celebrating the birth anniversity of Sayyidinaa Rasuulullaah, s̲allallahu 'alayhi wasallam) recited; or she would spread a chaadar (sheet) over a certain mazaar (grave); or she would put gulgulas (sweet cakes) in the masjid; or ghiyarwii of the big piir (saint) will be made. These vows are not correct, nor are they waajib to fulfil.

8. If a vow is made that a certain dilapidated masjid will be repaired, or a certain bridge will be built, then such a vow too will not be correct. Nothing is waajib or binding on such a person.

Swearing an oath

1. It is abhorred to swear an oath habitually during normal conversation. Even swearing to the truth about something is best avoided.

2. One who swears by Allaah Ta'aala saying, "K̲h̲udaa kii qasam" (I swear by Allaah), or "I swear by the glory of Allaah", or "I swear by the holiness of Allaah", or "I swear by the magnificence of Allaah", then this is a sworn oath. If one does not take the name of Allaah, but only says, "I swear that I will not do a certain thing", then too an oath is sworn.

3. If it is said: "Allaah is my witness", or "I make Allaah my witness and say ...", or "I believe Allaah is present everywhere and sees everything", then too an oath is sworn.

4. If while speaking one says, "I swear by the Qur-aan", or "I swear by the Kalaam of Allaah (Word of Allaah)", or "I swear by the glorious Qur-aan", this will be regarded as an oath. If the Qur-aan is held in the hand, or while placing the hand on the Qur-aan something is uttered, but an oath was not sworn, it will not be an oath.

5. If it is said, "If I do such a thing, I will die a disbeliever, and at the time of death will not have the good fortune of imaan", or if it said, "If I do a certain thing, then I am not a Muslim", it will become an oath. If the oath is violated, kaffaarah (penitence) will have to be given, and one does not lose one's imaan.

6. An oath is not valid if sworn in the name of any other besides Allaah, e.g., "I swear by Rasuulullaah", or "I swear by the Ka'bah", "I swear by my eyes", "I swear by my youth", "I swear by my hands and feet", "I swear by my father", "I swear by my children", "I swear by my beloved ones", "I swear by your head", "I swear by your life", "I take an oath on you", "I take an oath on myself." Even if an oath is sworn and is thereafter broken, no kaffaarah will have to be given.

7. An oath sworn on behalf of another is not valid, for example, "I swear by your Allaah, you must surely do this." This is not an oath. It will be correct to defy such an oath.

8. If while taking an oath the word In-Shaa-Allaah is added. e.g., "I swear by Allaah, In-Shaa-Allaah, I will not do such a thing," this is not an oath.

9. If an oath is taken on something that has not yet happened, for example, "I swear an oath by Allaah, it will rain today," or "I swear by Allaah, my brother will come today," and it does not rain, or the brother failed to turn up, kaffaarah will have to be given.

10. If a person swears an oath to commit a sin, saying, "I swear by Allaah, that today I will steal a certain person's thing and bring it," or "I swear by Allaah I will not recite today," or, "I swear by Allaah, I will never speak to my parents," it becomes waajib to break such an oath, and give kaffaarah. Otherwise a sin will be committed.

Kaffaarah for an oath

1. When an oath is broken, the kaffaarah for it is to feed ten needy

people for two meals, or to give uncooked grain. Each poor person must be given one and three quarter kilos of wheat, as a precautionary measure, two kilos should be given. If barley is given, the weight must be doubled (3.5kg – 4kg). The method of feeding the poor is the same as mentioned in the kaffaarah of saum (rozah, puasah, fast); or the needy must be clothed. Every one of the ten needy ones must be given cloth large enough to cover the body, like a sheet or a big kurtah. Kaffaarah will be fulfilled, but the cloth must not be very old. If the needy people are given a lungii (sarong, waist wrap) only, or a pyjamas trouser, the kaffaarah will not be fulfilled. If a kurtah is given with the lungii then kaffaarah will be fulfilled. One has a choice of either clothing or feeding the needy. Either of these will suffice in fulfilling the kaffaarah. The above rule for clothing is for men. If a needy woman is given clothing, it must be such that the whole body can be covered and salaah can be performed with it. If it is less, kaffaarah will not be valid.

2. A person swore an oath many times. First it was said. "I swear an oath by Allaah, I will not do a certain thing." Later it was said, "I swear an oath by Allaah, I will not do a certain thing." The same was said on the same day, or on the second or third day, or it was said, "I swear by Allaah," "I swear by the Kalaamullaah (Word of Allaah), I will surely do such a thing." Thereafter the oath was broken. For all these types of oaths, one kaffaarah will suffice.

3. If a person has to atone for many accumulated oaths, then, according to well-known sayings, the kaffaarah of each oath will have to be atoned for separately.

Wasiyyah (last testament)

1. To say, "After my death, so much of my wealth must be given to a certain person, or must be used for a certain cause", is termed wasiyyah (last will or testament), regardless of whether it was said during health or during illness. Whether the person dies of his illness or recovers, the wasiyyah will be correct.

2. Where there remains a kaffaarah obligation of salaah, saum (rozah, puasah, fast), zakaah, oath etc., on a person, and this person has

the monetary means, it becomes waajib to make wasiyyah regarding these before death. In the same manner, if a debt is outstanding, or an amaanah (trust) is kept, it is waajib to make wasiyyah regarding these too. If not done, one will have sinned. If a wealthy person has poor and needy relatives, who according to the sharii'ah cannot inherit, it is mustahab to assist them and make wasiyyah in their favour. One has the option of making or not making wasiyyah in favour of others.

3. After death, the expenses for kafan, burial etc., should first be taken, thereafter the debts must be settled. If all the wealth of the deceased is needed for settling debts, then the wealth must be used to settle the debts. The heirs will not inherit anything. Debts should be settled first before fulfilling any other wasiyyah of the deceased. Besides debts, the choice of making wasiyyah remains only in a third portion of the estate, e.g. if wasiyyah can be fulfilled from one-third of the estate, it shall be executed. If the wasiyyah amount exceeds one third, it is not a waajib responsibility for the heirs to execute.

4. It is not permissible to make wasiyyah in favour of an heir, e.g., father, mother, husband, son, daughter, etc. Wasiyyah is correct if made in favour of a relative who is not an heir, or a non-relative. One does not have the choice of making wasiyyah in excess of one third of the estate.

5. The wasiyyah of a non-baaligh is not valid.

6. If during an illness the patient dies, he does not have the choice of cancelling a debt, nor cancelling the outstanding debt of a heir. If all the heirs who are baaligh (mature adults) annul the debt, then the debt is forgiven. If any heir did not agree to annul the debt, then whatever portion is more than a third will not be exempted. There is a trend for a wife to release her due mahr (dowry) at the time of death. This is not correct.

7. After a wife's death, take the expenses for kafan and burial, etc. From the remaining assets, first repay all debts. A wife's mahr can also be used to repay debt. In the same manner, daughters must definitely be given their share of the estate, which is due to them by the sharii'ah.

8. It is not permissible to entertain and feed visitors, or give charity etc, from the estate of a deceased. The custom of giving grain etc., from

the estate of the deceased to the poor from the time of death until burial is also haraam. There is no reward for the deceased for such an act. On the contrary, it is a sin to consider such an act meritorious, because the estate now belongs to the heirs. To distribute it, is like stealing someone's possessions and distributing it. All assets of the estate must be divided among the heirs.

After death

1. Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, has said, "Always think of death, for the remembrance of death drives off sins, and loosens one's attachment to the accursed world." When a person strives for the hereafter and its favours, and fears the punishment of Jahannam (hell), then surely there will be a great desire for doing pious deeds. In this way a person will endeavour to avoid all sin. In the world one is often led to become negligent and forget the remembrance of Allaah. The remembrance of death and contemplating it, is to prepare oneself for the great journey to the hereafter, which is incumbent on every intelligent being.

The hadiith states that those who visit the grave of their parents (father or mother) every Friday, will be forgiven. They will be recorded (in the record of deeds) as an obedient servant of their parents. It is prohibited to make tawaaf of a grave or to kiss it, even if it is the grave of a nabii (prophet) or walii. When visiting a grave, first say:

اَلسَّلَامُ عَلَيْكُمْ يَا أَهْلَ الْقُبُورِ مِنَ الْمُؤْمِنِيْنَ وَالْمُسْلِمِيْنَ ، يَغْفِرُ اللهُ لَنَا
وَلَكُمْ ، وَأَنْتُمْ سَلَفُنَا وَنَحْنُ بِالْأَثَرِ

As-sa-laa-mu 'a-lay-kum yaa ah-lal qu-buu-ri mi-nal mu-mi-nii-na wal-musli-mii-na, yagh-fi-rul-laa-hu la-naa wa-la-kum wa-an-tum sa-la-fu-naa wa-nah-nu bil-a-tha-ri.

Peace be upon you all, inhabitants of the graves, amongst the believers and Muslims. May Allaah forgive us and you. You are our predecessors, and we shall follow (you).

Stand with your back towards the qiblah while facing the grave and recite as much as possible from the Qur-aan. It is stated in the ahaadiith that the person who, while passing graves, recites Suuratul Ikh-laas eleven times grants the reward to the deceased; or who recites Suuratul Faati-hah, Suuratul Ikh-laas and Suurah Takaa-thur and grants the reward to the people in the graves; or who recites Suurah Yaasiin in the graveyard (cemetery), Allaah Most High will lighten the punishment on those in the graves, and the reciter and the deceased will receive a bountiful reward. May Allaah Most High grant us divine guidance to perform righteous deeds and make our end with perfect imaan (faith). Aa-miin.

Loans

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, has said, "On the night of mi'raaj I saw written on the gate of Jannah (paradise), 'The reward gained for charity is tenfold and for granting loans eighteen fold.'"

Sayyidinaa 'Imraan bin Husayn, radiyallaahu 'anhu, says, Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, said, "When anyone has something due to him from another, he will be credited with sadaqah for every day he allows the debtor to postpone payment." —Mishkaat.

Sayyidinaa Abuu Qataadah, radiyallaahu 'anhu narrates, Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, said, "If anyone would like Allaah to save him from the anxieties of the day of qiyaamah, he should grant respite to the one who is in straightened circumstances, or remit the debt." —Muslim.

Allaah commands you that you give back deposits (debts) to their owners, ... —Suurah Nisaa, 58.

Sayyidinaa Abuu Sa'eed Al-Khudarii, radiyallaahu 'anhu, once said, "I heard Rasuulullaah, sallallaahu 'alayhi wasallam, say, "I seek Allaah's protection from kufr (disbelief) and debt." A person asked, "Yaa Rasuulullaah, are you putting kufr and debt on the same level by mentioning it together?" He replied, "Yes." —Nasa-ee, Haakim.

Sayyidinaa 'Abdullaah bin 'Umar, radiyallaahu 'anhu, said, "I

heard Rasuulullaah, sallallaahu 'alayhi wasallam, giving advice to a person thus, "Commit less sins, and you will experience an easy death. Decrease your debt, and you will live as a free man." —Bayhaqii.

Sayyidinaa Abuu Hurayrah, radiyallaahu 'anhu, once said that Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, said, "One who takes a loan with the intention of repaying it, Allaah Ta'aalaa will (assist him to) repay the debt. The one who takes a loan with the intention of not repaying it, Allaah Ta'aalaa will ruin such a person." —Bukhaarii, Ibn Maajah.

Ummul Mu-miniin Sayyiditinaa 'Aa-i-shah, radiyallaahu 'anhaa, once said that, "The person from my ummah who is laden with debt, and strives (fully) to repay the debt, then dies before repaying the debt, I am his assistant." —Ahmad, Tabraanii, Abii Ya'laa.

'Amr bin Shariid, rahimahullaah, reports from his father (who is a sahaabii), that Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, said, "The procrastination of a wealthy person makes his dignity and wealth halaal." —Ibn Hibbaan, Haakim.

Commentary: The above means that when a person who is capable of repaying his debts, but fails to do so, the creditor may defame and abuse him, and may also make it known to the people. The creditor may use appropriate avenues to recoup the debt.

Sayyidinaa Abuu Dharr, radiyallaahu 'anhu, quotes Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, as having said, "Allaah Ta'aalaa abhors three kinds of people:

1. An old man who (habitually) commits adultery.
2. A pauper (insolvent, penniless) who is haughty.
3. A wealthy person who oppresses others (by delaying the repayment of a debt)." —Ibn Khuzaymah, Abuu Daawuud, Nasaa-ee, Tirmidhii, Ibn Hibbaan, Haakim.

Sayyidinaa 'Abdullaah bin 'Umar, radiyallaahu 'anhumaa, quotes Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, as having said, "Every fault except the debt of a shahiid (martyr) will be forgiven." —Muslim.

Sayyidinaa Rasuulullaah, sallallaahu 'alayhi wasallam, has said,

"O Muslims, avoid incurring debt, for it leads to anxiety at night and humiliation and disgrace during the day." —Bayhaqii.

A mukaatab (a slave who purchases his freedom) came to Sayyidinaa 'Alii, radiyallaahu 'anhu, and said, "I have become helpless and despondent in buying my freedom. Help me." Sayyidinaa 'Alii said, "I will show you a few words (du'aa) which Rasuulullaah, sallallaahu 'alayhi wasallam, had shown me. Even if your debt is equal to Mount Thabiir, Allaah Ta'aalaa will fulfil it. Keep on saying:

اَللّٰهُمَّ اكْفِنِي بِحَلَالِكَ عَنْ حَرَامِكَ وَاغْنِنِي بِفَضْلِكَ عَمَّنْ سِوَاكَ

Al-laa-hum-mak-fi-nii bi-ha-laa-lika 'an ha-raa-mika wagh-ni-nii bi-fad-lika 'am-man si-waak.

O Allaah, Let Your lawful sustenance suffice me aginst Your unlawful sustenance, and make me by Your grace dependant on none but You.

Sayyidinaa Anas ibn Maalik radiyallaahu 'anhu reports, Sayyidinaa Rasuulullaah sallallaahu 'alayhi wasallam said to Sayyidinaa Mu'aadh ibn Jabal radiyallaahu 'anhu, "Should I not show you such a du'aa, that even if your debt is equivalent to a mountain, Allaah Ta'aalaa will repay that debt." Say:

اَللّٰهُمَّ مَالِكَ الْمُلْكِ تُؤْتِي الْمُلْكَ مَنْ تَشَاء ، وَتَنْزِعُ الْمُلْكَ مِمَّنْ تَشَاءُ ،
وَتُعِزُّ مَنْ تَشَاءُ ، وَتُذِلُّ مَنْ تَشَاءُ ، بِيَدِكَ الْخَيْرُ ، إِنَّكَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ ،
رَحْمٰنَ الدُّنْيَا وَالْآخِرَةِ وَرَحِيمَهُمَا تُعْطِيهِمَا مَنْ تَشَاءُ ، وَتَمْنَعُ مِنْهُمَا
مَنْ تَشَاءُ ، إِرْحَمْنِي رَحْمَةً تُغْنِينِي بِهَا عَنْ رَحْمَةِ مَنْ سِوَاكَ

Al-hum-ma maa-li-kal mul-ki tu-til mul-ka man ta-shaa, wa tan-zi-'ul mul-ka mim-man ta-shaa. Wa tu-'iz-zu man ta-shaa wa tu-dhil-lu man ta-shaa, bi-ya-di-kal khay-ru, in-na-ka 'a-laa kul-li shay-in qa-diir. Rah-maa-nad dun-yaa wal aa-khi-rah wa ra-hii-ma-hu-maa tu-tii-hi-maa man ta-shaa wa tam-na-'u

min-hu-maa man ta-shaa. Ir-ham-nii rah-ma-tan tugh-nii-nii bi-haa 'an rah-ma-tim man si-waa-ka

O Allaah, master of all sovereignty, You give dominion to whomsoever You please and You snatch it away from whomever You please. You exalt anyone You please and degrade anyone You please. All good is in Your hands. You have power over all things. O giver of mercy in the world and the hereafter You give both to whomever You please and You deny both to whomever You please. Have mercy on me in a manner that You make me independant from the kindness of others besides You.

The efficacy of these du'aas has been proven. Many people have tested these du'aas and have achieved successful results. Complete faith in and reliance on Allaah Ta'aalaa is a prerequisite. Since no specific amount has been prescribed, either one or both du'aas may be recited three times after every salaah at least. Additionally, a specified amount should be determined and recited at a fixed time.

And our last supplication is praise to Allaah, Rabb of the worlds. And salaah and salaam on His august messenger, and on his family and all his companions, with Your mercy, O most merciful of the merciful.

تم بحمد لله تعالى ، وصلى الله على سيدنا ومولانا محمد وآله وصحبه أجمعين